

THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
DALLAS DIVISION

UNITED STATES OF AMERICA, )  
 )  
Plaintiff, )  
 )  
vs. ) 3:17-CR-00169-B  
 )  
SAID AZZAM MOHAMAD RAHIM, )  
 )  
Defendant. )

TRANSCRIPT OF PROCEEDINGS  
JURY TRIAL - VOLUME 3  
BEFORE THE HONORABLE JANE J. BOYLE  
UNITED STATES DISTRICT JUDGE  
MAY 2, 2019

A P P E A R A N C E S

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proceedings reported by mechanical stenography,  
 transcript produced by computer.

# JURY TRIAL - VOLUME 3

SEALED RECORD (filed separately)

Pretrial Matters 4

BARRY STREET

Direct Examination By Ms.n Meeks 4  
 Cross-Examination by Mr. Whalen 22

JAKE HAUSKE

Direct Examination By Ms. Martin 28  
 Cross-Examination by Mr. Whalen 31

NOLAN BLANCHETTE

Direct Examination By Ms. Martin 33  
 Cross-Examination by Mr. Whalen 38

GWEN DOVE

Direct Examination By Ms. Martin 40

SPECIAL AGENT DWAYNE GOLOMB

Direct Examination By Ms. Martin 55  
 Cross-Examination by Mr. Whalen 226

PAUL AMACKER

Direct Examination By Ms. Martin 248  
 Cross-Examination by Mr. Whalen 258

Reporter's Certificate 266

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**ADMITTED GOVERNMENT'S EXHIBITS:**

GX 42 - SIM cards	10
GX 55 - Security Records	14
GX 309 - DVD from FBI	31
GX 45 - SIM card extraction report	47
GX 44 - SIM card extraction report	48
GX 61 - HTC phone extraction report	51
GX 47 - iPhone 6S extraction report	52
GX 43 - SIM card extraction report	54
GX 307 Screenshots	116
GX 310 Suggested Readings	180
GX 307 Video of Interview at Airport	200
GX 65 Transcript of Video of Interview at airport	219

1 (Preceding Record sealed; filed separately.)

2 (In open court at 9:00 a.m.)

3 THE COURT: Good morning. We're going to  
4 continue with the government's case.

5 Government, call your next witness.

6 MS. MEEKS: Yes, Your Honor. The  
7 government calls Officer Barry Street.

8 THE COURT: And I don't think this witness  
9 has been sworn.

10 (Witness sworn.)

11 COURT SECURITY OFFICER: Have a seat, and  
12 state and spell your first and last name.

13 THE WITNESS: My name is Barry, B-A-R-R-Y,  
14 Street, S-T-R-E-E-T.

15 **BARRY STREET,**  
16 **having been first duly sworn, testified as follows:**

17 **DIRECT EXAMINATION**

18 **BY MS. MEEKS:**

19 Q. Officer Street, thank you for being here this  
20 morning.

21 Can you tell us what your professional  
22 background is and the job you currently hold?

23 A. My professional background is, I have been  
24 employed by Department of Homeland Security, U.S.  
25 Customs and Border Protection since its inception in

1 2003, originally being hired as an Immigration  
2 Inspector in the Department of Justice. I've been  
3 with the Federal Government for 21 years. Currently  
4 I'm at DFW Airport here in Dallas, and I'm assigned  
5 to a counterterrorism team with my agency, and I  
6 have been so since February of last year.

7 Q. What does your job entail?

8 A. Our job entails counterterrorism and national  
9 security specific matters and interviewing  
10 individuals that we believe to warrant a further  
11 inspection upon their arrival or departure from DFW  
12 Airport.

13 Q. And you're physically located out of the  
14 airport?

15 A. Correct.

16 Q. Were you involved in the investigation against  
17 the defendant, Said Rahim?

18 A. I was.

19 Q. In what way?

20 A. I was asked to participate in March of 2017,  
21 surveillance of him arriving at Terminal D at DFW  
22 Airport for a departure out of the country.

23 Q. Were you also involved in a search of any of  
24 the luggage?

25 A. I was. I searched one of his bags.

1 Q. And how did you go about -- can you describe  
2 how you went about getting the bag and what the  
3 search entailed?

4 A. After the defendant proceeded through security,  
5 I waited in the ticket counter area of Terminal D.  
6 And one of my fellow task force officers brought a  
7 piece of luggage to the police substation at  
8 Terminal D. I followed him to the substation and  
9 searched one of the defendant's bags at the  
10 substation.

11 Q. Was it a standard piece of luggage?

12 A. Yes; soft-sided roller suitcase.

13 MS. MEEKS: Your Honor, permission to  
14 publish what's been admitted as Government's Exhibit  
15 41?

16 THE COURT: Fine.

17 Q. (By Ms. Meeks) Do you recognize this  
18 photograph?

19 A. I do. That's the suitcase that I searched.

20 Q. That is the suitcase that you searched that  
21 belonged to the defendant?

22 A. Yes, ma'am.

23 Q. And where was this photograph taken?

24 A. It was taken in the police station at  
25 Terminal D.

1 Q. At the airport?

2 A. At the airport, yes.

3 Q. Can we see the next photo?

4 What is this a photograph of?

5 A. Contents of the piece of luggage that I  
6 searched.

7 Q. This is the interior of the same piece of  
8 luggage?

9 A. Yes, ma'am.

10 Q. And can we see the next photo, please?

11 What is this a photo of?

12 A. It is a photo of a box I found within that same  
13 piece of luggage. It appears to be like a box you  
14 might have some jewelry in possibly.

15 Q. Okay. Can we see the next photo, please?

16 What is this a photo of?

17 A. It is of the same box, showing the contents,  
18 which is a ring and three SIM cards for a phone.

19 Q. Okay. Was that inside the box that you found  
20 in the luggage?

21 A. Yes, that box was inside the luggage; yes.

22 Q. Can I see the next photo, please?

23 What is this a photo of?

24 A. Those are the three SIM cards that were in that  
25 box which was in the luggage.

1 Q. What can you tell us about these?

2 A. They appear to be SIM cards for a company  
3 outside the United States, not a U.S. cellular  
4 provider.

5 Q. Next photo, please?

6 What is this a photo of?

7 A. Those are the same SIM cards, just on the  
8 opposite side.

9 Q. Are they flipped over?

10 A. Yes, they are flipped over.

11 Q. Next photo, please.

12 And what is this a photo of?

13 A. This is the photo of the suitcase I searched,  
14 which contained the box we just talked about. And  
15 in this picture here, the reason this picture was  
16 taken was because there was a cell phone within the  
17 clothes inside the suitcase.

18 Q. And you did the search and you found it?

19 A. Yes. Yes.

20 Q. Next photo, please.

21 What is this a photo of?

22 A. That's the phone that I found in the luggage.

23 Q. What is this blue tape on it?

24 A. The blue tape is over the front and back camera  
25 of the phone. With my agency, we're trained to do



1 this on a phone in case we can't discount  
2 remote-activated software on phones. So just for  
3 our protection, we put tape over the cameras.

4 Q. Okay. So you put that tape there?

5 A. I did.

6 Q. Next photo.

7 And again, what is this a photo of?

8 A. That's the same phone, just flipped over,  
9 showing the backside of it.

10 Q. Okay. And is that the entirety of the contents  
11 of the luggage that you found significant?

12 A. Yes.

13 MS. MEEKS: Your Honor, at this time,  
14 permission to approach the witness?

15 THE COURT: Yes.

16 MS. MEEKS: I'm handing the witness what  
17 is marked as Government's Exhibit 42.

18 THE COURT: It's in, yes.

19 No, it's not in. I don't see it in.

20 MS. MEEKS: It's not in, Your Honor.

21 THE COURT: No.

22 Q. (By Ms. Meeks) Officer Street, do you  
23 recognize what's marked as Government's Exhibit 42?

24 A. I do. These are the three SIM cards that were  
25 in the pictures that I found in the luggage.

1 Q. How can you tell they are the same SIM cards?

2 A. They match the photograph, and from the  
3 photograph I recognize these as the cards that I  
4 found.

5 Q. And those are the cards that you found  
6 directly?

7 A. Yes, ma'am.

8 Q. Are they in substantially the same condition as  
9 they were when you found them?

10 A. They are.

11 MS. MEEKS: At this time, Your Honor, the  
12 government would move to admit Government's Exhibit  
13 42 into evidence.

14 THE COURT: Mr. Whalen?

15 MR. WHALEN: No objection.

16 THE COURT: Government's 42 is in.

17 Q. (By Ms. Meeks) If you could hold those up for  
18 the jury so they get a chance to see them.

19 A. This is the backside showing the chip that the  
20 phone reads when you insert it.

21 And there's the front.

22 Q. Thank you, Officer Street.

23 MS. MEEKS: Permission to approach the  
24 witness again, Your Honor?

25 THE COURT: Yes.

1 Q. (By Ms. Meeks) Handing the witness  
2 Government's Exhibit 60.

3 MS. MEEKS: This has been preadmitted,  
4 Your Honor.

5 THE COURT: All right.

6 Q. (By Ms. Meeks) Do you recognize this?

7 A. Yes. This is the phone that I found in the  
8 luggage that we saw the pictures of.

9 Q. Can you hold that up for the jury so they can  
10 take a look?

11 A. (Witness complied.)

12 Q. Okay. Permission to retrieve that, Your Honor?

13 MS. MEEKS: Thank you.

14 Q. (By Ms. Meeks) What did you do with the --  
15 with Government's Exhibit 60 and 42, the SIM cards  
16 and the phone once you retrieved them from the  
17 luggage?

18 A. I turned them over to Gwen Dove who works for  
19 the North Texas Regional Forensic Laboratory of the  
20 FBI here in Dallas.

21 Q. Was Ms. Dove also at the airport with you?

22 A. She was.

23 Q. Why did you turn them over to her?

24 A. For logical extraction of the cards in the  
25 phone.

1 Q. What does that mean exactly?

2 A. It's commonly referred to as like dumping the  
3 phone, retrieving the information from the card and  
4 the phone through logical means that she had access  
5 to.

6 Q. Doing a digital analysis or pull from the  
7 phone, would that be accurate?

8 A. That's right.

9 Q. And the same for the SIM cards?

10 A. Correct.

11 Q. And did that all occur at the airport?

12 A. Yes.

13 Q. What occurred after she did those searches?

14 A. Once she was done and cataloged what she needed  
15 to do for her part, we repacked everything. I  
16 repacked the bag as best I could, as I found it, and  
17 turned it over to Agent Golomb. And then he took  
18 them back, I presume, to the defendant.

19 Q. Did you have any other involvement that day?

20 A. I did. I was assigned surveillance of the  
21 defendant.

22 Q. Did you see the defendant later with the  
23 luggage?

24 A. I did.

25 Q. In what way? Can you describe it?

1 A. We were made aware that he was departing the  
2 secure side of the airport. He exited the TSA  
3 checkpoint. And what I observed of him is he was  
4 looking around to presumably make sure he had all of  
5 his belongings, and he was heading towards the exit  
6 to exit the terminal into the traffic area in front  
7 of the airport on the sidewalk.

8 Q. At that point was he arrested?

9 A. He was.

10 MS. MEEKS: Your Honor, permission to show  
11 the witness -- approach the witness with  
12 Government's Exhibit 55?

13 THE COURT: Yes.

14 Q. (By Ms. Meeks) Officer Street, do you  
15 recognize these documents?

16 A. I do. They are from a computer database that  
17 we use every day at work.

18 Q. What database is that?

19 A. It's a Tax Treasury Enforcement Communication  
20 System.

21 Q. What does that database do?

22 A. It does many make things, one of which is, the  
23 airline is required, when they have an international  
24 flight, to submit a manifest for international  
25 flights other than Canada, Mexico or the Caribbean.

1 It's up to 72 hours. As they build that manifest,  
2 they submit it to my agency, CBP, for vetting,  
3 inbound and outbound, and these are some of those  
4 records.

5 Q. Are you familiar with those individual records?

6 A. I am.

7 Q. And you recognize them to be from the database?

8 A. That's right.

9 Q. Are they in substantially the same form as you  
10 had seen them previously?

11 A. Yes.

12 MS. MEEKS: Your Honor, at this time I  
13 would move to have Government's Exhibit 55 admitted  
14 into evidence.

15 THE COURT: Any objection?

16 MR. WHALEN: I'm not sure. Can I see the  
17 exhibit?

18 THE COURT: Yes. Come on up.

19 MR. WHALEN: May I approach?

20 (Pause.)

21 MR. WHALEN: May I talk to counsel?

22 THE COURT: Yes, sure.

23 (Discussion off the record.)

24 MR. WHALEN: No objection.

25 THE COURT: Government's Exhibit 55 is in.

1 MS. MEEKS: Your Honor, permission to  
2 publish Government's Exhibit 55 to the jury?

3 THE COURT: Sure.

4 Q. (By Ms. Meeks) Officer Street, what is it that  
5 we are looking at here?

6 A. This is information from APIS, Advance  
7 Passenger Information System. And this is what the  
8 airline submits to Customs and Border Protection for  
9 vetting of passengers inbound or outbound the United  
10 States on an international flight.

11 Q. Can you take us through each section so we can  
12 see? And if it helps, I can highlight the section  
13 so we know what we're looking at here.

14 Actually, I think we are going to make it  
15 larger. Perfect.

16 So this part here in this box, can you walk us  
17 through what's in this box here?

18 A. Yes. This part is what was queried in the  
19 database to produce the results underneath of it.  
20 So here we have from January 1, 2002, to April 4,  
21 2019, the last name, first name, date of birth of  
22 the person being queried.

23 And with Customs and Border Protection, to get  
24 these records as they are here today, the case agent  
25 must be very specific in what they want queried,

1 because that's all that will be queried. Whoever is  
2 doing the query will not take it upon themselves to  
3 try name variations in case they think something  
4 might be misspelled. That's what they were given to  
5 query, that name, that date range, and the results  
6 produced underneath.

7 Q. How about these blocks down here on the side.  
8 Can you take us through this first one with the last  
9 name column?

10 A. Yes. As I said, the individual queried for  
11 certified records this name, date of birth, date  
12 range, so we have the defendant's last name. And as  
13 you see here, the first name all they put was Said,  
14 they did not put a middle name. But given that name  
15 combination with that date of birth, it did return  
16 result with the defendant's first, last name and  
17 middle name.

18 And then what we have next to that is the date  
19 of birth. The document type next to the date of  
20 birth, that's what returned as the document  
21 presented on the defendant's behalf. So the "P" is  
22 for passport. He has a U.S. passport. That's what  
23 he presented at check-in or to certify to the  
24 airlines that he is indeed able to travel on an  
25 aircraft with a document in his name and his date of



1 birth.

2 And then next to doc type is document number.

3 That is his passport number.

4 And the date-time, next to that, the dates are  
5 all of the dates for scheduled travel. And I say  
6 "scheduled," because if you go over to the third  
7 column, I/O, that's inbound or outbound. On inbound  
8 flights, when people do check in, they do make that  
9 flight, we are for certain they are on board or not  
10 on board. With outbound flights, we are just  
11 notified that they are scheduled to go outbound.

12 And the site next to that would be a code that  
13 is specific to the computer database. That shows  
14 where the defendant arrived in the United States.  
15 So for example, as you go down the site column, you  
16 will see a number prefixed by the letter A. That  
17 means it was an airport. A-557, for example, that's  
18 the code in this computer system that signifies DFW  
19 International Airport. A-392 would be Chicago;  
20 A-524 would be Houston; A-385 would be Detroit  
21 International Airport in Detroit, Michigan.

22 And then the INSP column, that's the inspector  
23 on the inbound trip that actually swiped the  
24 document. And they redacted that part because it's  
25 the inspector's Social Security number.

1 And then the type, APIS, Advance Passenger  
2 Information System, that's what this database is  
3 drawing from that the airline is required by law to  
4 submit the information to.

5 And then status, March 2017 being the recency  
6 of that date, that's how we know -- we know for a  
7 fact that he was not on board. As travel dates get  
8 older, some of the information does drop off.

9 Q. And March 5th, 2017, was that the date that you  
10 were at the airport also to conduct the search?

11 A. Correct.

12 Q. And then these last two columns here, the  
13 arrival location and departure location, is that  
14 what that stands for?

15 A. That's right. So it will be the first -- if  
16 it's an outbound international flight, that would be  
17 the first foreign airport that an individual would  
18 arrive to. So FRA would be Frankfurt. And then it  
19 also tells us what the last U.S. airport he was at,  
20 where he departed from, so DFW.

21 So as you go down with the I/O column, it  
22 correlates, outbound/inbound, outbound/inbound. And  
23 then that would also correlate with the arrival and  
24 departure locations. If it's an outbound flight,  
25 your arrival location will be a foreign airport.

1 Q. So will this reflect all of the international  
2 travel via plane that the person identified here had  
3 taken?

4 A. Within the date range specified for the query,  
5 yes.

6 Q. Okay. And from this can you tell prior to that  
7 day, on March 5th, 2017, the last time that the  
8 defendant had traveled internationally?

9 A. Yes; it was 2011.

10 Q. And is that reflected in that box there?

11 A. That's right.

12 Q. Can we see the next page, please?

13 What is -- Officer Street, what is this that we  
14 are looking at here?

15 A. This is just an explanation of the codes for  
16 the previous page for airports, for location codes  
17 and for document codes.

18 Q. So the codes that are on the left would  
19 correspond with the next column, which would be the  
20 name of the airport?

21 A. That's right.

22 Q. Okay. And can we see the next document,  
23 please?

24 What is this that we are looking at here?

25 A. This is, as I explained with the first document

1 you saw, the date range, name queried by the  
2 individual who does this for record certification  
3 for these purposes. From January 1, 2002, to April  
4 4th, 2019, they searched the last name Musbah and  
5 first name Mena, with March 21, 1989, as date of  
6 birth. There were no filter criteria, so it was  
7 first name, last name, date of birth, and it  
8 returned no results for any type of inbound/outbound  
9 international travel.

10 Q. So if the individual identified in here had  
11 made international travel between those dates, would  
12 it have been reflected?

13 A. It would have been reflected like the first  
14 page you saw with inbound/outbound documents and  
15 what I explained about arrival code/departure code,  
16 that type of table would be under these search  
17 results.

18 Q. What can you tell from the negative returns?

19 A. That given this name with this date of birth,  
20 there is no international travel for that person.

21 Q. Can we see the next page, please?

22 Is this a similar form?

23 A. Similar form. It appears that whoever  
24 submitted the query to CBP headquarters for  
25 certification of records, as I said, whoever

1 conducts this in Washington, D.C., is only searching  
2 what is provided to them.

3 Q. And what name are they searching in this case?

4 A. Daras, D-A-R-A-S, first name Minas, M-I-N-A-S,  
5 and the date of birth, March 21, 1989.

6 Q. What does this tell you having negative  
7 results?

8 A. That the person with this name spelling and  
9 this date of birth has not had any international  
10 travel in- or outbound.

11 Q. Can we see the next page, please?

12 Once again, Officer Street, what are we looking  
13 at here?

14 A. Same thing as described before, just a name  
15 variation. This one being Daris, D-A-R-I-S, first  
16 name Minas, M-I-N-A-S, March 21, 1989, for date of  
17 birth. And again, the way this record is and as it  
18 appears, there is no international travel in- or  
19 outbound for a person with this name and date of  
20 birth.

21 Q. Okay. Next page, please.

22 MS. MEEKS: That's all the questions I  
23 have for you, Officer Street.

24 THE WITNESS: Thank you.

25 THE COURT: Cross-examination, Mr. Whalen.

**CROSS-EXAMINATION**

**BY MR. WHALEN:**

Q. Officer Street, how are you?

A. Pretty well.

Q. Okay. Just so I understand it, on March 5th, 2017, you were at the airport, correct?

A. That's right.

Q. And you were in Terminal D?

A. Terminal D as in David, yes.

Q. And were you outside TSA or past TSA?

A. I was outside TSA on the nonsecure side.

Q. And at the nonsecure side, were you at the Luftansa desk?

A. In front of the seating in front of it, yes, sir.

Q. Did you see Mr. Rahim check in at the Luftansa desk?

A. Yes.

Q. How many bags did he have with him?

A. Two roller suitcases and I believe some carry-on luggage.

Q. And after he checked in at Luftansa, what happened to his two -- did Luftansa personnel touch his two roller bags?

A. From what I recall, I believe they had -- he

1 had left them there at the counter to proceed  
2 through security once he received whatever it was  
3 that permitted him to go through security from the  
4 airline.

5 Q. So when he went through security, he did not  
6 have the two roller bags at that point.

7 A. No.

8 Q. And then you took possession of one of the  
9 roller bags, correct?

10 A. Correct. It was brought to me. I followed my  
11 fellow task force mate to the substation where,  
12 then, we did the search there.

13 Q. Who brought it to you?

14 A. I believe it was a fellow task force officer  
15 with TSA.

16 Q. Who?

17 A. Fellow task force officer with TSA, Tony  
18 McLemore, I believe.

19 Q. And the bag that you searched, isn't it true  
20 you were -- there was already a search warrant for  
21 that bag?

22 A. I believe there was.

23 Q. Okay. Because you couldn't just search it  
24 without it, correct?

25 A. Either consent to search the bag or the search

1 warrant, one or the other would have to be obtained.

2 Q. At that time you did not have any personal  
3 contact with Mr. Rahim, correct?

4 A. I did not.

5 Q. So there wasn't any consent -- you didn't get  
6 any direct consent from him, correct?

7 A. No. I was told by the task force mate that  
8 brought the bag to me, "We have consent," and I took  
9 his word for it that consent was obtained and did  
10 the search.

11 Q. Let me back up, because you shrunk the time  
12 here.

13 So he checks in at the Luftansa gate. What  
14 time was that?

15 A. From the best of my recollection, possibly 10,  
16 11 o'clockish maybe.

17 Q. And he goes through TSA security, correct?

18 A. Correct.

19 Q. Then how much soon after that did the bag come  
20 to you to search?

21 A. Maybe 30ish minutes, give or take a few  
22 minutes. I'm not 100 percent on that.

23 Q. And you searched the bag and you found what we  
24 saw in the pictures, correct?

25 A. Correct.



1 Q. And you gave the bag back, right?

2 A. I gave it back to Agent Golomb, yes, sir.

3 Q. And at some point, Mr. Rahim comes out of TSA  
4 into the nonsecure area?

5 A. That's correct.

6 Q. And isn't it true that when he comes out, he  
7 goes to the Luftansa gate to see about getting on  
8 another flight?

9 A. I believe he might have talked with Luftansa  
10 for a minute or two, but from what I remember  
11 observing of him, he had started walking to the exit  
12 door.

13 Q. But you do recall at some point he did talk to  
14 somebody from Luftansa.

15 A. I believe he did.

16 Q. Okay. And did you know at that point when you  
17 were at the airport that he was not getting on that  
18 plane.

19 A. We had an idea that it was a possibility, yes.

20 Q. Did you know he was on a no-fly list and he  
21 wasn't going to be allowed to board?

22 A. It had been talked about, but I did not know  
23 100 percent.

24 Q. And then you placed him under -- you -- you  
25 transported him to the Dallas County Jail, correct?

1 A. Postarrest, I did, yes.

2 Q. Did you place him under arrest?

3 A. I did not.

4 Q. And is that the extent of your participation in  
5 this case?

6 A. The following day, I transported him from the  
7 FBI offices for his initial appearance in this  
8 building.

9 Q. So other than searching the bag and pulling  
10 Exhibit 55, that's all you did, correct?

11 A. Correct.

12 Q. Okay. Now, as it relates to Exhibit 55, if you  
13 put in names and the names are not spelled exactly  
14 correct, will it hit sound-alike records or just --  
15 or it will not?

16 A. With this particular search, the way it was for  
17 these records, it's exact only. So as you put the  
18 name in, it will return results based off that  
19 specific spelling.

20 Q. So if it's misspelled or a letter is off, it's  
21 not going to pull any results.

22 A. That's right.

23 Q. And if we look at Exhibit 55, it shows the  
24 travel document he had was a passport; is that  
25 correct?

1 A. That's correct.

2 Q. It's a United States passport; is that correct?

3 A. Correct.

4 Q. It's your understanding he is a United States  
5 citizen, correct?

6 A. Yes.

7 Q. Born here in New Jersey?

8 A. Correct.

9 MR. WHALEN: I'll pass the witness.

10 THE COURT: Redirect?

11 MS. MEEKS: Nothing further, Your Honor.

12 THE COURT: You may step down. You are  
13 excused. You cannot talk about the case until it's  
14 over.

15 Call your next witness.

16 MS. MARTIN: Yes, Your Honor. The  
17 government calls Jake Hauske.

18 (Witness sworn.)

19 THE WITNESS: I do.

20 COURT SECURITY OFFICER: Have a state, and  
21 state and spell your first and last name.

22 THE WITNESS: My name is Jake Hauske.

23 THE COURT: Okay. Talk out this way.

24 THE WITNESS: My name is Jake Hauske.

25

1                                   **JAKE HAUSKE,**  
2   **having been first duly sworn, testified as follows:**

3                                   **DIRECT EXAMINATION**

4   **BY MS. MARTIN:**

5   Q.   Will you spell your last name, please?

6   A.   H-A-U-S-K-E.

7   Q.   Mr. Hauske, where do you work?

8   A.   I am currently at the FBI's Fort Worth Resident  
9   Agency.

10   Q.   What do you do there?

11   A.   I am a staff operation specialist.

12   Q.   What does that mean?

13   A.   I provide tactical analysis to investigations.

14   Q.   And what squad are you assigned to?

15   A.   I am assigned to an intel squad, IN3.

16   Q.   How long have you been an SOS with the FBI?

17   A.   I've been an SOS for approximately six years.

18   Q.   And are you currently working in Dallas?

19   A.   I'm currently working in Fort Worth.

20   Q.   Did you previously work in Dallas?

21   A.   I did, yes.

22   Q.   Have you worked anywhere else for the FBI?

23   A.   In the Detroit Division.

24   Q.   What types of cases are you typically assigned  
25   to?

**SHAWNIE ARCHULETA, CSR/CRR**  
**FEDERAL COURT REPORTER - 214.753.2747**

1 A. Almost entirely counterterrorism cases.

2 Q. Did you assist in the investigation of Said  
3 Rahim?

4 A. Yes, ma'am.

5 Q. And was it research type of assistance?

6 A. Yes, it was -- it was specific. On one  
7 occasion I assisted with request from the case  
8 agent.

9 MS. MARTIN: Your Honor, may I approach  
10 the witness?

11 THE COURT: Yes.

12 And is it all right if the last witness is  
13 in here?

14 MS. MARTIN: He's been excused.

15 THE COURT: All right.

16 Q. (By Ms. Martin) Mr. Hauske, I just handed you  
17 what's been marked as Government's Exhibit 309.

18 What is that?

19 A. It is a DVD containing the contents from an  
20 archive that was hosted on archive.org.

21 Q. And why did you go to the archive.org?

22 A. So in October of 2018, I was approached by the  
23 case agent, Special Agent Dwayne Golomb. I was told  
24 that they had identified the owner of a pro-ISIS  
25 Zello chat room, entitled, "The State of the Islamic

1 Caliphate."

2       Within that user's profile, there was a link to  
3 an archive hosted at archive.org. I was requested  
4 to memorialize the content from that archive. So on  
5 October 23rd, 2018, I navigated to the website. I  
6 took screenshots of all the content appearing on  
7 that website. And then I downloaded 73 files, all  
8 of which were in Arabic, and then I burned them to  
9 this DVD.

10 Q. You linked the archive directly from the web  
11 page?

12 A. Yes, ma'am. The link contained in the user's  
13 profile was to that archive.

14 Q. And what was the website or application of the  
15 owner's profile?

16 A. I'm sorry?

17 Q. Do you recall what the application was where  
18 the link was --

19 A. It was a Zello profile.

20 Q. And have you reviewed the contents of that DVD?

21 A. Yes, ma'am.

22 Q. And does it contain the information that you  
23 downloaded on that date in October?

24 A. Yes, ma'am.

25 Q. Had it been altered in any way?

1 A. Not to my knowledge, no.

2 Q. Do you recognize that specific DVD?

3 A. Yes, ma'am.

4 Q. How do you recognize it?

5 A. I reviewed the contents in your presence  
6 yesterday.

7 Q. And are there any markings that suggest that's  
8 the same CD?

9 A. My initials are on it.

10 MS. MARTIN: At this time, the government  
11 moves to admit Government's Exhibit 309.

12 THE COURT: Mr. Whalen?

13 MR. WHALEN: Your Honor, we would object  
14 to 309.

15 THE COURT: Do you have any questions to  
16 ask him?

17 MR. WHALEN: I don't. Not at this time.

18 THE COURT: I'm going to admit 309.  
19 Government's Exhibit 309 is in.

20 MS. MARTIN: Your Honor, I will pass the  
21 witness.

22 THE COURT: All right. Cross-examination.

23 **CROSS-EXAMINATION**

24 **BY MR. WHALEN:**

25 Q. When did you do this?

1 A. It was October 23rd of 2018.

2 Q. October 23rd of 2018.

3 A. Yes, sir.

4 Q. And you went to archive.org?

5 A. It was a longer link. It was -- the main  
6 domain was archive.org, and I believe the archive  
7 was A underscore 912, I believe.

8 Q. Okay. And how did you get to this again, just  
9 so I understand it?

10 A. I was provided the link from the case agent,  
11 Special Agent Dwayne Golomb.

12 Q. Okay. And so basically all that you did was,  
13 on October 23rd, 2018, take that link, put it into a  
14 browser and downloaded what you found?

15 A. Pretty much, yes, sir.

16 MR. WHALEN: All right. I will pass the  
17 witness.

18 THE COURT: Anything else?

19 MS. MARTIN: No, Your Honor.

20 May this witness be excused?

21 THE COURT: Mr. Whalen, do you agree?

22 MR. WHALEN: Yes, he can be excused.

23 THE COURT: You may be excused. Just  
24 remember not to talk about the case until the case  
25 is over.



1 Next witness, please.

2 MS. MARTIN: Yes, Your Honor. The  
3 government calls Special Agent Nolan Blanchette.

4 THE COURT: Come on up here, please.

5 (Witness sworn.)

6 THE WITNESS: I do.

7 COURT SECURITY OFFICER: Have a seat and  
8 state and spell your first and last name for the  
9 record.

10 THE WITNESS: First name is Nolan  
11 N-O-L-A-N. Last name is Blanchette,  
12 B-L-A-N-C-H-E-T-T-E.

13 THE COURT: Sit a little closer to the  
14 microphone. Go ahead.

15 **NOLAN BLANCHETTE,**  
16 **having been first duly sworn, testified as follows:**

17 **DIRECT EXAMINATION**

18 **BY MS. MARTIN:**

19 Q. Special Agent Blanchette, where do you work?

20 A. I'm employed by the U.S. Department of State's  
21 Diplomatic Security Service.

22 Q. And where are you currently assigned?

23 A. I'm currently assigned to the JTTF with the FBI  
24 here in Dallas.

25 THE COURT: You've got to sit closer to

1 the microphone. Go ahead.

2 Q. (By Ms. Martin) And does JTTF mean Joint  
3 Terrorism Task Force?

4 A. It does.

5 Q. How long have you been with the State  
6 Department?

7 A. 12 years.

8 Q. What did you do before you joined the State  
9 Department?

10 A. I was a border patrol agent, U.S. Border Patrol  
11 agent.

12 Q. Where were you assigned as a border patrol  
13 agent?

14 A. I was assigned to El Paso sector, Tucson  
15 sector, and Yuma sector.

16 Q. With the State Department -- what have your  
17 assignments been as a special agent with the State  
18 Department?

19 A. I've been assigned to our Violent Crimes Unit,  
20 which investigates crimes against or by Chief  
21 Admission Personnel overseas: Afghanistan,  
22 Pakistan, Iraq; and again, in Afghanistan, Trinidad  
23 and Tobago and Honduras.

24 Q. Have you ever worked as a special agent in  
25 Syria?

1 A. In a protective format, yes.

2 Q. So you've been in and out.

3 A. Yes.

4 Q. What type of work did you do in Trinidad and  
5 Tobago?

6 A. I primarily worked on -- in an investigative  
7 capacity on travelers either trying to come  
8 illegally to the United States or the foreign  
9 fighter issue. Trinidad has a number of foreign  
10 fighters that had traveled to Syria.

11 Q. And what about with respect to your work in  
12 Iraq? What types of duties did you have?

13 A. My last tour there was as the Protective  
14 Operations Chief, so I oversaw basically any -- any  
15 movement of U.S. Government personnel in Northern  
16 Iraq as far as the security protection details.

17 Q. What about Afghanistan?

18 A. In Afghanistan, I was a regional -- like a  
19 security -- protective security measures. So it  
20 would be anything from the barriers that protect the  
21 Embassy to the outlying guard posts to the foreign  
22 nationals that we used to man those guard posts at  
23 the different facilities; so Herat, Mazar-i-Sharif  
24 and Kabul.

25 Q. What was going on in the Middle East while you

1 were serving there?

2 A. Are you referring to being a War Zone?

3 Q. Yes.

4 A. Yes, very much so.

5 MS. MARTIN: May I approach the witness?

6 Q. (By Ms. Martin) Special Agent Blanchette, I  
7 have handed you what's been marked as Government's  
8 Exhibit 54.

9 What is that?

10 A. This appears to be a United States passport.

11 Q. If you could open it, please.

12 MS. MARTIN: And, Your Honor, this exhibit  
13 has --

14 THE COURT: It's in.

15 MS. MARTIN: If we could publish it,  
16 please.

17 Q. (By Ms. Martin) Special Agent Blanchette,  
18 whose passport is this?

19 A. This passport is issued to Said Azzam Mohamad  
20 Rahim.

21 Q. If we could see the next page, please.

22 And the next page.

23 Is that what you are looking at in the  
24 passport, Special Agent Blanchette?

25 A. Yes.

1 Q. And when was this passport issued?

2 A. Twenty-third of October 2007.

3 Q. And when did it expire?

4 A. 22nd of October 2017.

5 Q. And this U.S. Passport reflects that Mr. Said  
6 Rahim is a United States citizen?

7 A. Yes, by virtue of birth in New Jersey.

8 Q. Now, if you will take a look at Government's  
9 Exhibit 69.

10 If we could publish that, please.

11 What is this?

12 A. This is a birth certificate from the State of  
13 New Jersey.

14 Q. And whose birth certificate is it?

15 A. I'm looking for the name on it. Rahim -- or  
16 Said Rahim.

17 Q. And does this match up with the passport?

18 A. It does by date of birth and name, yes.

19 Q. Now, you worked for the Border Patrol and the  
20 State Department for more than 10 years?

21 A. Yes.

22 Q. Any reason somebody would need to travel with  
23 their birth certificate internationally?

24 A. It can be indicative of intending emigrant. So  
25 having a passport conveys your citizenship. So if

1 you are taking your additional documents with you,  
2 at times it does indicate that they are intending to  
3 immigrate.

4 Q. When you say "intending to immigrate," you mean  
5 stay at the destination?

6 A. Correct.

7 Q. But if you have a U.S. passport and U.S.  
8 citizen, can you always come back to the United  
9 States?

10 A. Yes.

11 MS. MARTIN: Pass the witness, Your Honor.

12 THE COURT: Cross-examination.

13 CROSS-EXAMINATION

14 BY MR. WHALEN:

15 Q. Is it Agent Blanchette?

16 A. Yes, sir.

17 Q. Would it also make sense to bring your birth  
18 certificate with you if you are trying to get a Visa  
19 for your daughter who was not a U.S. citizen?

20 A. For her to immigrate to the U.S.?

21 Q. Yes.

22 A. Generally that would be generated in the United  
23 States with a petition for her to immigrate.

24 Q. But if you started it in the country where she  
25 was, it would make sense to have it just in case?

1 A. Yes.

2 MR. WHALEN: Okay. Pass the witness.

3 THE COURT: Anything else?

4 MS. MARTIN: No more questions, Your  
5 Honor.

6 THE COURT: You may step down. I will  
7 tell you that you just can't talk about the case  
8 until it's over.

9 THE WITNESS: Yes, ma'am.

10 THE COURT: Call your next witness.

11 MS. MARTIN: Your Honor, may this witness  
12 be excused as well?

13 THE COURT: Yes.

14 MR. WHALEN: Yes, Your Honor.

15 THE COURT: Yes, you may be excused.

16 MS. MARTIN: The government calls Gwen  
17 Dove.

18 (Witness sworn.)

19 THE WITNESS: Yes.

20 COURT SECURITY OFFICER: Have a seat, and  
21 state and spell your first and last name for the  
22 record.

23 THE WITNESS: Gwen Dove, G-W-E-N, D-O-V-E.  
24  
25

1                                   **GWEN DOVE,**  
2   **having been first duly sworn, testified as follows:**

3                                   **DIRECT EXAMINATION**

4   BY MS. MARTIN:

5   Q.   Ms. Dove, where do you work?

6   A.   I have been employed by the FBI for almost 22  
7   years, and I'm currently working at the NTRCFL.  
8   That's the North Texas Regional Computer Forensics  
9   Laboratory.

10   Q.   And do you have a special assignment at the  
11   RCFL?

12   A.   Yes; basically to image and preserve the  
13   evidence of different computers, different digital  
14   evidence that's involved in crimes.

15   Q.   And are you on any specific response teams?

16   A.   Yes.   On CART.   It's Computer Analysis Response  
17   Team.

18   Q.   And what is your -- do you have any  
19   certificates or licenses?

20   A.   Yes.   I have certifications in Windows,  
21   Macintosh, Linux and cell phones.   And each one of  
22   those disciplines requires a certain amount of  
23   training and testing, depending on, you know, the  
24   year and what's involved.

25   Q.   What is your -- your official title -- or what



1 is your official position?

2 A. Computer Forensics Examiner.

3 Q. How long have you been doing that?

4 A. Almost -- let's see, about 20 years now.

5 Q. Are you trained in any specific types of  
6 forensic examinations?

7 A. Yes. Like I said, I have certifications in  
8 Linux, Windows, Macintosh and cell phones. So each  
9 one of those, like if it's a Windows system,  
10 operating system, then I, you know, would use my  
11 certification in Windows to examine that.

12 And Macintosh, the same thing for Macintosh  
13 systems. Linux systems, the same way. If it's a  
14 Linux operating system, then a Linux examination has  
15 to be done. Cell phones are the same thing, whether  
16 it be an iPhone or an Android phone.

17 Q. Now, when you talk about cell phones  
18 specifically, when you get a cell phone and you are  
19 going to do a forensic examination on it, what's the  
20 first thing you do?

21 A. That's a complicated question to answer. So it  
22 depends if it's an iPhone or an Android phone. It  
23 also depends if it's locked or not. Android phones,  
24 you can pretty much turn them off when you receive  
25 them. We always put them in airplane mode first to

1 make sure there's no WiFi going on, and we remove  
2 the SIMs.

3 Q. What is your goal when you get these phones?  
4 What ultimately are you trying to do?

5 A. To extract the data from the phones.

6 Q. And do you use software to do that?

7 A. Yes. Yes, we do.

8 Q. Do you have to take a lot of training on phones  
9 in order to stay up to date on the different types?

10 A. Yes. It's constantly evolving. I'm sure  
11 everyone knows how technology is growing so fast.  
12 So, yes, it's a constant battle.

13 Q. Now, you've been working with the FBI for 20  
14 years; is that right?

15 A. Yes. Well, 22 almost.

16 Q. Do you typically -- are you involved with  
17 particular cases or do you just take the evidence as  
18 it comes in?

19 A. It depends. Like we do -- we have a  
20 collaboration with the state and local police, too.  
21 So on a lot of those cases, we do the analysis, you  
22 know, for the detective, depending on what he's  
23 looking for.

24 Most of the FBI cases, though, the agents do  
25 the analysis. And so we have a dedicated network

1 that we can present the results of these  
2 examinations up on the desktop, in a virtual desktop  
3 for the agents so they can just view it from their  
4 desk. They can't manipulate it in any way, but they  
5 can view it.

6 Q. Essentially you are extracting the information  
7 and giving it to the agent?

8 A. In this case, yes, I believe so.

9 Q. Let's talk about this specific case.

10 When do you recall first becoming involved in  
11 evidence collection in this case?

12 A. It was when a phone, a Sony Xperia was brought  
13 in prior to this search.

14 Q. At some point, were you required to go to the  
15 DFW Airport?

16 A. Yes.

17 Q. Why were you asked to go to the DFW Airport?

18 A. To extract data from an iPhone, an HTC phone --  
19 well, whatever was found, and there was three SIMs  
20 also.

21 Q. Was that on March 5th, 2016?

22 A. Yes.

23 Q. And you said, "whatever was found." Did you  
24 have search warrants ahead of time for whatever  
25 might be found?

1 A. Yes.

2 Q. And I believe you mentioned the -- you  
3 mentioned three SIM cards; is that correct?

4 A. Yes.

5 MS. MARTIN: Your Honor, may I approach?

6 THE COURT: You may.

7 Q. (By Ms. Martin) Ms. Dove, do you see  
8 Government's Exhibit Number 41?

9 A. Yes.

10 Q. Are those the SIM cards you performed  
11 extractions on?

12 A. Yes.

13 Q. And if you will take a look at Government's  
14 Exhibit 43 that I have placed in front of you as  
15 well?

16 A. (Witness complied.)

17 Q. I believe it's on the ledge, Ms. Dove.

18 A. Oh, 43. Okay. Gotcha. Uh-huh.

19 Q. What is Government's Exhibit 43?

20 A. This is a SIM card extraction -- no, this is  
21 the HTC extraction.

22 Q. Is that Government's Exhibit 43?

23 A. Yes.

24 Q. If you can take a look the Government's Exhibit  
25 45, please.

1 A. Okay.

2 Q. What is that?

3 A. This is the SIM card extraction.

4 Q. And who performed that extraction?

5 A. I did.

6 Q. And what software did you use?

7 A. I was using -- it's called UFED 4PC. It stands  
8 for -- UFED stands for Universal Forensic Extractor  
9 Device, and it's made by a company called  
10 Cellebrite. It's widely used throughout the  
11 industry.

12 Q. And did you use that software to extract data  
13 from that SIM card?

14 A. Yes.

15 Q. And did you use the process and the procedure  
16 that you normally use when you extract information  
17 from a SIM card?

18 A. Yes.

19 Q. Was this extraction report generated as a  
20 result of your use of that software?

21 A. It was.

22 Q. Is that extraction report in the same or  
23 substantially the same state as it was when you  
24 performed the extraction and generated the report?

25 A. Yes. And they do create a hash of the report.

1 Q. And are you able to verify that that is your  
2 report?

3 A. Yes.

4 MS. MARTIN: Your Honor, at this time I  
5 move to admit Government's Exhibit 45.

6 THE COURT: Any objection?

7 MR. WHALEN: Your Honor, I do have an  
8 objection. And I can't say it in one or two words,  
9 so if we can approach.

10 THE COURT: Yes.

11 (Bench Conference:)

12 MR. WHALEN: Your Honor, we would object  
13 to the SIM cards, because there's no authenticity  
14 that Mr. Rahim -- even though he possessed the SIM  
15 cards, the data on the SIM cards is related to him  
16 in any way, because it's just the SIM cards. So we  
17 would object to relevance and then 401 and 403 as it  
18 relates to that. But that's the basis of the  
19 objection, as it's not related to him.

20 THE COURT: Ms. Martin?

21 MS. MARTIN: Your Honor, they were in his  
22 possession and it's an extraction.

23 THE COURT: I think it goes to the weight  
24 and not the admissibility. I will admit it.

25 (Bench conference concluded.)

1 THE COURT: 45 is admitted into evidence.

2 MR. WHALEN: And Your Honor, just so the  
3 record is clear, the objection is overruled?

4 THE COURT: Overruled.

5 Q. (By Ms. Martin) Ms. Dove, if you can look at  
6 Government's Exhibit 44 that's in front of you as  
7 well?

8 A. Yes.

9 Q. And what is that?

10 A. This is another SIM card extraction.

11 Q. Okay. And who performed this SIM card  
12 extraction?

13 A. I did.

14 Q. And what software did you use to do this  
15 extraction?

16 A. The same UFED 4PC, Version 6.

17 Q. Is this report in the same or substantially the  
18 same form it was when you performed the extraction  
19 and generated the report?

20 A. Yes, it is.

21 Q. Has it been altered in any way?

22 A. No.

23 MS. MARTIN: Your Honor, at this time I  
24 move to admit Government's Exhibit 44.

25 THE COURT: Any objection?

1 MR. WHALEN: Your Honor, same objections  
2 as to 44 as we had to 45.

3 THE COURT: Same ruling. It's overruled  
4 and 44 is in.

5 MS. MARTIN: May we publish page 1 of  
6 Government's Exhibit 44, please?

7 THE COURT: 43 is not in, right?

8 MS. MARTIN: Yes, Your Honor.

9 THE COURT: Okay.

10 Q. (By Ms. Martin) Ms. Dove, if you could look at  
11 the top. And right up here it says -- right here,  
12 what does it say under Evidence Number?

13 A. "SIM Number 2."

14 Q. Okay. And right here on Notes, what does it  
15 say here?

16 A. It was a password-protected SIM.

17 Q. So the SIM was password-protected?

18 A. Yes.

19 Q. Were you able to extract information?

20 A. No. You can password-protect SIMs.

21 Q. Okay. Thank you.

22 A. If anyone doesn't know what SIM stands for --

23 MR. WHALEN: Objection. Nonresponsive,  
24 Your Honor.

25 THE COURT: Sustained.



1 Wait for a question.

2 MS. MARTIN: I will ask you.

3 Q. (By Ms. Martin) What is a SIM card?

4 A. It's a Subscriber Information Module. It tells  
5 the provider how to -- you know, to talk to this  
6 phone.

7 Q. And can you take SIM cards out of phones and  
8 then put them in other phones?

9 A. Yes, you can.

10 Q. Okay. If you will look at Government's Exhibit  
11 60 that's in a plastic bag. Do you see that?

12 A. Yes. I don't see the exhibit -- oh, there it  
13 is. 60?

14 Q. Yes.

15 A. Okay.

16 Q. Is that one of the phones that you performed an  
17 extraction on?

18 A. Yes, this is the HTC phone.

19 (Discussion between counsel off the record.)

20 Q. (By Ms. Martin) Ms. Dove, is 60 the phone you  
21 performed an extraction at the airport as well?

22 A. Yes.

23 Q. You said it was the HTC phone?

24 A. Yes.

25 Q. If you will take a look at Government's Exhibit

1 61 in front of you?

2 A. Okay. I have it.

3 Q. And what is this?

4 A. This is the extraction report for the HTC  
5 phone.

6 Q. Okay. And did you generate this report?

7 A. Yes.

8 Q. And what software did you use to generate this  
9 report?

10 A. After you run 4PC on the initial extraction, it  
11 creates a binary file that then you pull into  
12 physical analyzer. It's made by the same company.  
13 It's just a -- it puts it into human readable  
14 format. So this binary file from the extraction is  
15 put into human readable format. That's what creates  
16 this report.

17 Q. And is this the software that you generally use  
18 for this type of phone?

19 A. Yes.

20 Q. And so you are familiar with that?

21 A. Yes.

22 Q. Is this report in the same or substantially the  
23 same form as it was when you generated it upon  
24 extracting the data from the phone?

25 A. Yes, it is.

1 Q. Has it been altered in any way?

2 A. No.

3 MS. MARTIN: Your Honor, the government  
4 moves to admit Exhibit 61.

5 THE COURT: Any objection?

6 MR. WHALEN: I have no objection.

7 THE COURT: 61 is admitted.

8 MS. MARTIN: May I approach again, Your  
9 Honor?

10 THE COURT: Yes.

11 Q. (By Ms. Martin) Ms. Dove, I've handed you  
12 what's been marked as Government's Exhibit 46, which  
13 has been previously admitted.

14 What is that?

15 A. This is the iPhone, iPhone 6S.

16 Q. iPhone 6S?

17 A. Yes.

18 Q. Did you perform an extraction on the iPhone 6S?

19 A. Yes.

20 Q. What software did you use to perform that  
21 extraction?

22 A. The same as the SIM and the HTC, the 4PC.

23 Q. And if you will take a look at Government's  
24 Exhibit 47.

25 MS. MARTIN: May I approach, Your Honor?

1 I apologize.

2 THE COURT: You may.

3 A. Thank you.

4 Q. (By Ms. Martin) Ms. Dove, when you performed  
5 the extraction of the iPhone, was it a large report?

6 A. Oh, yes. It was like over 300 pages.

7 Q. So it had to be condensed and put on a CD?

8 A. Yes.

9 Q. What is Government's Exhibit 47?

10 A. The CD that contains the report.

11 Q. And did -- has that report been altered since  
12 you performed the extraction using the software on  
13 the iPhone?

14 A. I have seen a printed copy; and no, it hasn't.

15 MS. MARTIN: Your Honor, at this time we  
16 would move to admit Government's Exhibit Number 47.

17 THE COURT: Any objection?

18 MR. WHALEN: No, Your Honor.

19 THE COURT: Government's Exhibit 47 is  
20 admitted.

21 Q. (By Ms. Martin) Ms. Dove, if you will take a  
22 look at Government's Exhibit 43 again.

23 A. Yes.

24 Q. This one is not admitted. But if you look in  
25 the Source Extraction section, can you tell the

1 Court and the jury what type of device this was --  
2 this extraction was performed on?

3 A. Did you say 43?

4 Q. Yes.

5 A. This was an HTC phone.

6 Q. An HTC phone?

7 A. Yes.

8 Q. If you will take a look in the middle of the  
9 page.

10 A. Yes. Oh, this is a -- I'm sorry, this is a SIM  
11 card.

12 Q. So there was an HTC phone; is that correct?

13 A. Yes, uh-huh.

14 Q. Was there also an HTC SIM card?

15 A. This was not one in the phone.

16 Q. Okay. In the SIM cards that you reviewed?

17 A. Yes.

18 Q. Okay.

19 A. We just don't know exactly which phone I think  
20 they went to.

21 Q. And did you perform an extraction on that SIM  
22 card?

23 A. Yes.

24 Q. And did you use the same software?

25 A. Yes.

1 Q. And is that report in the same or substantially  
2 the same form as it was when you performed the  
3 extraction?

4 A. Yes.

5 MS. MARTIN: Your Honor, at this time the  
6 government would move to admit Government's Exhibit  
7 43.

8 THE COURT: Mr. Whalen?

9 MR. WHALEN: Your Honor, same objection to  
10 43 that I had to 45 and 44.

11 THE COURT: 43 is in. Overruled.

12 A.

13 Q. (By Ms. Martin) And Ms. Dove, if you could go  
14 back to Exhibit 47 for one moment.

15 And -- oh, that's the CD. I apologize, never  
16 mind.

17 MS. MARTIN: At this time, I will pass the  
18 witness, Your Honor.

19 THE COURT: All right.

20 MR. WHALEN: I have no questions, Your  
21 Honor.

22 THE COURT: You may step down.

23 Both sides agree to excuse this witness?

24 MS. MARTIN: Yes, Your Honor.

25 MR. WHALEN: Yes, Your Honor.

1 THE COURT: Just remember not to talk  
2 about the case until it's over.

3 THE WITNESS: Yes. Thank you.

4 THE COURT: Call your next witness.

5 MS. MARTIN: The government calls Special  
6 Agent Dwayne Golomb.

7 (Witness sworn.)

8 THE WITNESS: I do.

9 THE COURT: Have a seat and state and  
10 spell your first and last name for the record.

11 THE WITNESS: First name is Dwayne  
12 D-W-A-Y-N-E. Last name Golomb, G-O-L-O-M-B.

13 **SPECIAL AGENT DWAYNE GOLOMB,**  
14 **having been first duly sworn, testified as follows:**

15 **DIRECT EXAMINATION**

16 BY MS. MARTIN:

17 Q. Special Agent Golomb, you've testified  
18 previously in this trial?

19 A. I have, yes.

20 Q. And could you remind the jury how long you've  
21 been with the FBI?

22 A. I've been with the FBI for 15-and-a-half years.

23 Q. And what has been your primary assignment in  
24 that 15-and-a-half years?

25 A. I've been investigating international

1 terrorism.

2 Q. And within the last five or so years, have you  
3 focused more of your attention on one specific  
4 group?

5 A. In the last five years, more specifically on  
6 ISIS or ISIL, yes.

7 Q. And do you do any training to keep up with the  
8 latest information on the threat groups?

9 A. We do. We have constantly ongoing training,  
10 either through the FBI, bringing experts in or  
11 courses from other universities and such.

12 Q. And can you tell the jury how this -- your  
13 investigation of Said Rahim was initiated in this  
14 case?

15 A. Yeah. In around the early part of April 2016,  
16 we received information from another field office of  
17 a channel, of an internet channel called The State  
18 of Islamic Caliphate. And on that channel there was  
19 a great deal of concern over propaganda, recruiting  
20 efforts on this channel and, in particular,  
21 individuals that we believed to be in the United  
22 States.

23 Q. And was this hosted by a particular application  
24 or website?

25 A. Yes. It was an application called Zello.



1 Q. And you discussed it previously, is it  
2 primarily utilized through a phone?

3 A. It's primarily utilized through a phone, yes.

4 Q. So why would another office contact the Dallas  
5 FBI about this channel?

6 A. In this particular case, when we start to  
7 receive records back where we can start identifying  
8 IP addresses -- which are kind of like your home  
9 address just for the internet -- we start to get an  
10 idea of where people may be located who are  
11 participating in the room. In this case, we were  
12 getting IP addresses that were coming back to  
13 Dallas, Texas.

14 Q. So did you open up an investigation based on  
15 that?

16 A. We did, yes.

17 Q. When you opened the investigation, did you  
18 start learning about Zello?

19 A. Yes.

20 Q. In fact, have you tried to use Zello yourself?

21 A. I did. I have downloaded it and tried to  
22 become familiar with the application, yes.

23 Q. So you know how it works?

24 A. I do.

25 Q. And you know specifically how this channel

1 works?

2 A. I do, yes.

3 Q. You spent a lot of time working on this  
4 channel?

5 A. A lot of time, yes.

6 Q. The State of the Islamic Caliphate channel was  
7 a public channel or private channel?

8 A. As the expert talked about, Zello has a variety  
9 of --

10 MR. WHALEN: Objection, nonresponsive.

11 THE COURT: Overruled.

12 A. Yes, this particular channel is what we call an  
13 open channel. If you had the Zello application and  
14 you searched for that name in the room or you  
15 searched for similar terms of that room, any  
16 individual who had the Zello app could begin  
17 listening to the content of that room.

18 THE COURT: Ask another question.

19 Q. (By Ms. Martin) And you said they could begin  
20 listening to the content of that room. And in this  
21 particular room, was the content of speakers  
22 controlled?

23 A. It was, yes.

24 Q. When I say, "was the content of the speakers  
25 controlled," were there members in the room who had

1 the ability to control who could talk and who could  
2 not talk?

3 A. Right. This particular channel was at the  
4 lowest level. So any user could listen by logging  
5 into the channel. And then moderators and  
6 administrators could then control whether you could  
7 speak into the channel, but anybody could listen to  
8 the channel.

9 Q. Now, do you have to use your real name if you  
10 join Zello and download the application and join the  
11 room, do you have to have your real name displayed?

12 A. No. Zello I would characterize as an anonymous  
13 app. You don't have to have verified identification  
14 to join Zello.

15 Q. When you say, "you don't have to have verified  
16 identification," what does that mean?

17 A. A lot of times when you download apps, whether  
18 it's FaceBook or Twitter account, you log in with an  
19 email or telephone number. And that provider -- or  
20 that application will send you an email saying, Hey,  
21 is this you? Did you sign up for this account?  
22 When you click on that link, then you get access to  
23 the application. On Zello if you just provided an  
24 email or phone number, you got access regardless if  
25 it was an accurate email or phone number.

1 Q. So they didn't do anything to check it?

2 A. No.

3 Q. What were some of the user names you initially  
4 identified as coming back to the Dallas area?

5 A. We had IP addresses tied to user names  
6 angousha@, hola isis, all way isis and  
7 safer-alshahadah.

8 Q. Did you tie those user names to other user  
9 names?

10 A. Yes. Shortly after the investigation began, we  
11 tied the IP addresses and voice identification to  
12 the monikers, Dr. sa7wat and trip W amojahed.

13 Q. When you say voice ID, were you able to make a  
14 voice ID initially?

15 A. No, it was a team of linguists.

16 Q. Ultimately did you become familiar with the  
17 defendant's voice?

18 A. I did.

19 Q. So even though you couldn't understand it, you  
20 could recognize the voice?

21 A. Yes, I could.

22 Q. Now I'm going to talk a little bit about roles  
23 of members on this channel.

24 We've had some testimony about the owner of the  
25 channel. What was the owner? How did that work?

1 A. So for a user to set up their own channel,  
2 there is one owner of the channel. So one user  
3 begins the channel in his name. So he is the main  
4 proprietor of that channel, and he can assign roles  
5 out from there, too, other administrators.

6 Q. So what is an administrator?

7 A. The administrator, a tier down from the owner,  
8 administrator has the ability -- pretty much the  
9 only difference there is he has the ability to  
10 assign moderators or remove moderators.

11 Q. He can't change the password to the channel?

12 A. No, the administrator has no ability to change  
13 the profile picture of the channel page. They  
14 cannot delete the channel. They cannot make any  
15 adjustments to the channel.

16 Q. How about moderators, you mentioned those.  
17 What is that?

18 A. Moderators had more everyday action in the  
19 room. Moderators were allowed to control who became  
20 a trusted member in the room so that they could  
21 speak. They could mute users if they didn't like  
22 what they were saying. They could block users from  
23 speaking. Things of that nature.

24 Q. If we could see Government's Exhibit 15,  
25 please.

1 Special Agent Golomb, what is this?

2 A. This appears to be one of the server logs that  
3 Zello provided to us.

4 Q. And we went over this earlier with  
5 Mr. Gavrilov; is that correct?

6 A. Yes.

7 Q. What does this log contain?

8 A. This log is a collection of all the actions  
9 that has taken place on the channel. So all of the  
10 actions conducted by admins, moderators, owner of  
11 the room, during the duration of the channel.

12 Q. And this particular log was over 6,000 pages?

13 A. Very long, yes.

14 Q. If we could see Government's Exhibit 16.

15 And what is this?

16 A. This is additionally -- additional server logs  
17 from the Zello State of Islamic Caliphate channel.

18 Q. Well, again, reflects different actions taken  
19 by different users in the room?

20 A. Exactly, yes.

21 Q. Now, these first two logs, were they connected  
22 to the same channel?

23 A. They were connected to the first channel, the  
24 first iteration of the channel as we call it.

25 Q. Let's explain that a little bit. We're calling

1 it the iteration. Why are their different  
2 iterations of the channel?

3 A. It can happen through varied reasons that the  
4 channel might be shut down. In this case, I believe  
5 the first iteration of this channel was shut down by  
6 Zello for violation of their agreements. And then  
7 what happens is, the channel owner quickly creates  
8 the channel again, almost exactly the same name,  
9 provides that to the admin and the moderators and  
10 they quickly migrate everybody over to the same  
11 channel essentially but in a slightly different  
12 location.

13 Q. How many total iterations of The State of the  
14 Islamic Caliphate channel were there?

15 A. There were four iterations.

16 Q. And were you able to say, yeah, it's the same  
17 channel, for a reason?

18 A. Yes. It had the same name as translated in  
19 Arabic, same photos, same group owner, same admin,  
20 same moderators.

21 Q. So the personnel was the same?

22 A. Personnel was the same.

23 Q. If we can see Government's Exhibit 19.  
24 What is this?

25 A. This is another channel server log, probably

1 another iteration of The State of the Islamic  
2 Caliphate channel.

3 Q. At the top it says, "Channel 1 Server Log."

4 A. Channel 1 Server one.

5 Q. The first iteration starts at what number?

6 A. Zero. So this would be the second iteration of  
7 the channel, correct.

8 Q. Okay. If we could see Government's Exhibit 20.  
9 What is this?

10 A. A second server log for that same first  
11 iteration -- second iteration of the channel.

12 Q. And then Government's Exhibit 23.  
13 What is this?

14 A. Description of Channel 2 Server One Log. This  
15 would be the third iteration of the channel; again,  
16 all of the moderator/administrator actions that had  
17 occurred on the channel.

18 Q. Government's Exhibit 24, please.  
19 What is this?

20 A. Again, the second server for the third  
21 iteration, additional logs of  
22 administrator/moderator actions on that channel.

23 Q. Government's Exhibit 27, please.  
24 What is this one?

25 A. By the name Channel 3 Server One Log, this



1 would be the fourth iteration of the channel and all  
2 of its moderator/admin actions.

3 Q. And finally, Government's Exhibit 28.

4 A. And again, the second server log for the fourth  
5 iteration of the channel.

6 Q. Have you reviewed these logs?

7 A. I have, yes.

8 Q. What size are they?

9 A. They are very large. Each log is probably a  
10 thousand pages or so, more than a thousand pages.

11 Q. So we are talking about tens of thousands of  
12 actions by the different people in the room?

13 A. Yes.

14 Q. Did you do anything to kind of condense this  
15 information to try to make it more manageable in  
16 this case?

17 A. I did. In dealing with this kind of  
18 information, I imported it into like an Excel file  
19 so I could sort through all the moderator and the  
20 admin actions.

21 Q. And did you prepare a summary chart?

22 A. I did.

23 Q. And did you prepare that summary chart based on  
24 the exhibits that we've talked about and that are  
25 admitted in Court here today?

1 A. I did. All the information is pulled from  
2 these exhibits.

3 MS. MARTIN: Your Honor, I believe this  
4 one has been preadmitted.

5 THE COURT: What exhibit?

6 MS. MARTIN: Exhibit Number 36.

7 THE COURT: 36. Just a second. Yeah,  
8 it's in. It's in.

9 MS. MARTIN: If we could publish  
10 Government's Exhibit 36, please.

11 Q. (By Ms. Martin) Special Agent Golomb, is this  
12 the summary chart that you prepared?

13 A. It is.

14 Q. And what's contained in your summary chart,  
15 your condensed chart?

16 A. So what I did is merged all of the thousands  
17 and thousand of pages and then began a search by the  
18 defendant's known monikers and pulled all of his  
19 specific moderator/admin actions out of the  
20 channel -- out of those server logs.

21 Q. So we see some of the monikers on this first  
22 page; is that correct?

23 A. That's correct.

24 Q. See all way isis?

25 A. All way isis, safer-alshahadah.

1 Q. Okay. And then if you continue on pages 1  
2 through 4, do we see more acts by safer-alshahadah?

3 A. Yeah. You can see that he's continually adding  
4 trusted users on the channel. He is muting and  
5 unmuting people, blocking users from speaking many  
6 hundreds, thousands of times.

7 Q. Okay. And then if we could see page 4, please.  
8 Who is primarily on the top part of this page  
9 of the logs?

10 A. It's primarily actions taken by the moniker  
11 safer-alshahadah.

12 Q. And at the bottom of page 4, who do we start to  
13 see?

14 A. We start to see the logs from hola isis.

15 Q. If we could go to page 7, please.

16 So what is this page?

17 A. This page is entirely the hola isis actions on  
18 the channel.

19 Q. Were there other pages of hola isis actions?

20 A. Yes, there were.

21 Q. How about page 8, please.

22 Who do we see making an appearance on page 8?

23 A. At the bottom of page 8, we start to see  
24 angousha@ moniker start to conduct actions on the  
25 channel.

1 Q. And if we could go to Government's Exhibit --  
2 same exhibit, page 37, please.

3 Which moniker do we see on this one?

4 A. On this one we start to see the moniker  
5 Dr. sa7wat.

6 Q. And if with could see Government's Exhibit 36,  
7 page 46.

8 We again see safer-alshahadah?

9 A. Yes, you can see safer-alshahadah.

10 Q. We just looked at specific pages of this  
11 summary exhibit, but is it 47 pages in total?

12 A. It is, yes.

13 Q. How is it organized?

14 A. In this case probably organized by date. If I  
15 recall, the server logs were all by date, so they  
16 are all by date and time.

17 Q. Do you recall how many different actions by  
18 Said Rahim's monikers you recorded in this summary  
19 exhibit?

20 A. Exact number, I can't recall, but it was well  
21 over 2,000.

22 Q. And those were actions taken by one of his  
23 monikers on The State of the Islamic Caliphate  
24 channel?

25 A. That is correct, yes.

1 Q. What did -- did you have to do anything to be  
2 able to participate in The State of Islamic  
3 Caliphate channel?

4 A. To participate, you have to become what we call  
5 a trusted member of the room. So as I said, anyone  
6 can listen to the channel, you know, anyone. Twelve  
7 years old, 13 years old; if they see the channel,  
8 they can start listening.

9 But in order to speak on the channel, you have  
10 to be approved by moderators and administrators.  
11 And there's a series of things, whether it's giving  
12 them the oath privately to them, and then they will  
13 allow you and assign you as trusted status, and then  
14 you can begin speaking in the room as well.

15 Q. If we could get out our transcript books.

16 MS. MARTIN: Your Honor, may I approach  
17 the witness?

18 THE COURT: You may.

19 Q. (By Ms. Martin) If we could go to Government's  
20 Exhibit 212, please. The date on this audio is  
21 May 31, 2016, and the participants are Said Rahim  
22 and an unknown male.

23 THE COURT: Okay.

24 Q. (By Ms. Martin) If we could begin on line 17.  
25 The Unknown Male says: "Your brother Muhannad, er,

1 from Syria and Aleppo. And right now, I am now in  
2 al-Raqqah with our brothers the jihadists. And  
3 deliverance is only through God, soon, God willing."

4 Special Agent Golomb, where is al-Raqqah?

5 A. City in Syria, at this time controlled by ISIS.

6 Q. If we continue on to page 2, line 5. Said  
7 Rahim says: "May God reward you with goodness.  
8 Thank you for abiding by the condition of joining  
9 the channel. Er...the channel of the supporters,  
10 The Islamic Caliphate State."

11 Is that condition you were referring to when  
12 you said "The rules of the channel"?

13 A. Correct.

14 Q. Do you often in the recordings or the  
15 transcripts hear Rahim telling people to abide by  
16 the rules of the channel?

17 A. Yes. He is quite often very strict about the  
18 rules of the channel and that members obey them.

19 Q. And if someone does obey them, what level do  
20 you have to have to permit someone to speak?

21 A. You have to be a trusted user to be able to --  
22 oh, to allow someone to speak, you need to be a  
23 moderator.

24 Q. And does the moderator have other control over  
25 the channel or other abilities to control the

1 channel?

2 A. Yes. As I stated earlier, he can block users  
3 from becoming trusted users. He can mute people if  
4 it's something that -- you know, if they hear  
5 something they don't like being said, they can mute  
6 them.

7 Q. Can we look at Government's Exhibit 144 and the  
8 audio is corresponding 143.

9 And the date of this audio is?

10 THE COURT: Are you sure 144 is in?

11 MS. MARTIN: Yes, Your Honor.

12 THE COURT: Okay.

13 Q. (By Ms. Martin) June 9th, 2016. And there are  
14 eight participants in this one and Said Rahim and  
15 the rest are unknown males.

16 And beginning on page 1, line 21 Said Rahim  
17 says: "Weren't you the one laughing? Did you laugh  
18 on the channel? Er, you were the one who laughed,  
19 er. I think if you were the one, you were muted for  
20 five minutes only."

21 THE COURT: Ms. Martin, I want to be  
22 careful. Is it 144 or 44?

23 MS. MARTIN: 144.

24 THE COURT: I don't think it's in. Look  
25 at the list you've got, and you don't have 144 on

1 there.

2 MS. MARTIN: Your Honor, may I approach?

3 THE COURT: Yes.

4 (Bench conference:)

5 MS. MARTIN: Are you talking about this  
6 list.

7 THE COURT: Yes.

8 MS. MARTIN: The first page is the audio  
9 and the second is --

10 THE COURT: Okay. I got it. I will look  
11 at it.

12 MR. WHALEN: It's in.

13 THE COURT: All right. Go ahead.

14 (Bench Conference Concluded.)

15 THE COURT: I see it. Go ahead.

16 MS. MARTIN: Thank you, Your Honor.

17 Q. (By Ms. Martin) Line 21, Said Rahim says -- I  
18 apologize. I just read that. But here where he  
19 says, "You were the one muted for five minutes only,  
20 just five minute muting, er, just five minute  
21 muting."

22 Is this the muting that you are talking about?

23 A. Yes, that is correct.

24 Q. And on page 3 of the same transcript, line 27,  
25 unknown male 3 says: "May God reward you brother.



1 I mean, er, you are talking with someone on mute,  
2 you mean? Because I see that you are responding,  
3 but er, I do not hear the voice of the other party  
4 you are talking to!"

5 Line 4 Said Rahim responds: "Oh, right, he is  
6 on mute. Okay er, you who are muted..." And then  
7 continues on line 9: "I am telling you this, do not  
8 talk about anything else except to adhere to these  
9 conditions. If you do not adhere to these  
10 conditions a procedure will be applied to you."

11 What kind of procedure would be applied to the  
12 users if they don't adhere to the conditions?

13 A. In this case, I assume he would be blocking him  
14 from the channel from speaking further.

15 Q. And then on page 5, line 15, Said Rahim  
16 continues: "He is kicked out, let him go out  
17 Abul-al-Mu'taz. Let him go, er, just let him go.  
18 He is, just like I told you man, I told you man,  
19 from the moment he got in. It's done. Do not, do  
20 not let him back in the channel; do not allow him  
21 back to the channel."

22 Is Said Rahim controlling who can come in the  
23 channel?

24 A. No, he's controlling who go can speak on the  
25 channel.

1 Q. Is he telling others not to allow him back in  
2 the channel?

3 A. Basically other admins and moderators know not  
4 to make him a trusted member.

5 Q. Because someone has to make him a trusted  
6 member in order for him to speak.

7 A. Exactly.

8 Q. Now, if we could go back to Government's  
9 Exhibit 36, please.

10 Special Agent Golomb, the audio we just heard,  
11 are these types of actions the type of actions  
12 reflected in this summary chart?

13 A. Yes, they are.

14 Q. The muting and the blocking?

15 A. Yes, they are.

16 Q. And the adding of the trusted users?

17 A. That is correct, yes.

18 Q. And, again, there are thousands of actions by  
19 Said Rahim.

20 A. At least over 2,000, yes, ma'am.

21 Q. Now, if we could go to Government's Exhibit  
22 218, and the corresponding audio is 217.

23 The date of the transcript is November 14th,  
24 2016. And the participant is Said Rahim.

25 On line 19, Said Rahim begins: "We beseech God

1 to find this work, time, and effort, which you are  
2 exerting, that God would write it down for you as  
3 reward of the martyrs er... as reward of the  
4 jihadists. Er, and may our end and yours be  
5 martyrdom for the cause of God. Of course, er, with  
6 you is er, Abu 'Abd-al-Shahid Al-Inshitari.  
7 Naturally, I am an Admin in Zello, channel of the  
8 Islamic Caliphate State, and I am not priding myself  
9 over someone, but just so you know who I am."

10 Who, again, is talking?

11 A. This is the defendant, Said Rahim.

12 Q. And he's telling everyone he's an admin?

13 A. He's telling everyone the importance he has on  
14 the channel, yes.

15 Q. And in addition to his administrative status on  
16 the channel where he controls content, do the users  
17 view him in a certain way on the channel?

18 A. They do. Through the transcripts, you can see  
19 the users refer to him as "sheikh" quite a bit.  
20 They refer to him and ask him questions and look up  
21 to him for his advice on many things.

22 Q. If we can go to Government's Exhibit 220, and  
23 the corresponding audio would be at 219.

24 The date on that audio is December 2nd, 2016.  
25 The participants are an unknown male and Said Rahim.

1           If we take a look at page 2, beginning at line  
2   8, the unknown male says: "It is my privilege, I am  
3   proud of, it honors me to have you. And...no one  
4   will talk against you; if you see something wrong,  
5   you can immediately kick them out. Hopefully with  
6   God's will, I will give you, I mean, a hexagon star,  
7   because I see when you are given Supervision, but  
8   you quit it. So, I want someone who will support  
9   me, a person who is a real supporter, may God bless  
10   you, and I'm sure you are a real supporter, may God  
11   bless you. I beseech God to protect you, Lord. And  
12   if you do not want to enter the channel, you...I  
13   mean...may God be praised, praise be to God, I mean,  
14   your opinion. I respect your opinion. I am not  
15   good. But, I love you in God. God is my witness  
16   that I mean, I love you more than myself, oh brother  
17   er, Angosha, because I... my love is for the true  
18   supporter brothers, I love them more than myself."

19           What is a hexagon star?

20   A.   In this case, he's asking Angosha, the  
21   defendant, to be even more powerful in the room;  
22   that he should be the top moderator, the top admin,  
23   because he's more knowledgeable than others.

24   Q.   Who is he talking to?

25   A.   He's talking to the defendant.

1 Q. How do you know that?

2 A. Because he calls him by the name Angosha.

3 Q. If we could move to Government's Exhibit 168,  
4 please.

5 The date on this transcript is -- and the audio  
6 corresponds at 167 -- is October 7th, 2016. And the  
7 participants are Said Rahim and three unknown males.

8 On page 1, beginning at line 21, Said Rahim  
9 says: "We ask God to protect our Caliph er, this  
10 scholar, worshiper and jihadist. We ask God to  
11 accept our leaders. Er, Bin-Ladin is not their  
12 first and al-'Adnani and al-Shishani is not the  
13 last."

14 Who is bin Laden?

15 A. Bin Laden is the recognized head -- or was the  
16 recognized head of Al Qaeda.

17 Q. Who is al-'Adnani again?

18 A. Al-'Adnani was the second in command for ISIS,  
19 and he also was the spokesperson for ISIS.

20 Q. And who is al-Shishani?

21 A. Al-Shishani, as prefaced yesterday, was a  
22 highly regarded foreign fighter, a Chechen fighter  
23 who -- pretty much the Syrian military commander for  
24 ISIS.

25 Q. If we could turn to page 2.

1 Now, Rahim -- Said Rahim is continued for a  
2 page. And then we have at line 26 the unknown male  
3 says: "Amen! Amen! Amen! May got accept your  
4 supplication and answer, O Lord of the Worlds! But  
5 brother, I just want to ask a few questions and I  
6 hope you will answer them for me and I hope that you  
7 will give me spiritual resolve so that I would tell  
8 you, may God grant you long life."

9 What is he asking Said Rahim to give him?

10 A. He's asking for guidance. And in this context,  
11 he's asking for guidance to mobilizing for jihad.

12 Q. That's the spiritual resolve?

13 A. Yes.

14 Q. And if we continue on page 4, line 5, an  
15 unknown male says: "Amen! Amen! God willing, but  
16 Sheikh, I mean, you need to give me the answer. I  
17 asked you a question, but you did not respond."

18 Then Said Rahim responds: "Amen O Lord! Amen O  
19 Lord! Okay, what -- what is the question? What was  
20 your question?"

21 How does he address Said Rahim there?

22 A. The unknown male addresses the defendant as  
23 Sheikh.

24 Q. What is a Sheikh?

25 A. A Sheikh in broader Islamic sense is a term of

1    endearment or term of someone with high regard,  
2    respect to someone who may have much more knowledge,  
3    specific knowledge, may it be of religion or other  
4    matters.

5    Q.    And the unknown male continues at line 11: "I  
6    swear by God Sheikh, praise be to God who honored us  
7    with Islam who made us make er, I mean talk on such  
8    subjects, I mean, praise be to God. I mean, other  
9    than these matters."

10           And then he says: "I reside in Turkey. I er,  
11    did not...I was in Syria in the past, from a year  
12    and a half ago. The Islamic State was there so er,  
13    I asked to join them many times and my family did  
14    not allow me to do this. Then my family brought me  
15    to Turkey, and now I want to go to Syria. But if I  
16    moved one meter, my mother will go sick and, and,  
17    and et cetera. I mean, I don't...I mean this is,  
18    er, what makes me hesitant, which is my family and  
19    my mother solely. So what can one do in regards to  
20    these matters?"

21           And Said Rahim responds. Can you begin reading  
22    his response at line 27, Agent Golomb?

23    A.    Sure. The defendant responds: Okay. May God  
24    bless you. Er, obeying -- er obeying the Creator is  
25    more deserving, more important and takes priority

1 over obeying the created. Obeying the Creator is to  
2 obey 'Him Who created thee, fashioned thee in due  
3 proportion, and gave thee a just bias. In whatever  
4 form He wills, does He put thee together.' To obey  
5 him, er, is more deserving than obeying the created.  
6 Er, so you obey er, the command of Almighty God in  
7 of jihad, which is the pinnacle of Islam in waging  
8 jihad for the cause of God. It is the pinnacle of  
9 Islam. It is the deed that is unequal and is unlike  
10 any worship. It is the jihad for the cause of God."

11 Then he stated: "The Hadith stated what is to  
12 the effect that er, a man came to the prophet, peace  
13 and prayers be upon him, and said 'Guide me to what  
14 other good deed could be, I mean, an equivalent or  
15 compares to jihad.' He said; 'I cannot find one--I  
16 cannot find one...' Or, 'guide me to a worship that  
17 equals jihad,' he said; 'I cannot find one.' So as  
18 the prophet peace and prayers be upon him er, had  
19 said. So as I told you, obedience is to the God,  
20 glorified and exalted be He, first. Er, when do you  
21 obey the-the parents and it would be obligatory to  
22 do so? Er, in the regular er, matters - regular  
23 matters that have no, I mean disobedience to God."

24 Q. So is the Rahim telling him you have to obey  
25 God before your parents?



1 A. In this case, in terms of jihad toward  
2 mobilization, he is only to obey God, he is not to  
3 listen to his parents.

4 Q. And on page 6, Said Rahim continues at line 7:  
5 "I mean, when your mother tells you....threatens you  
6 and tells you she will be sick and so and so I mean,  
7 and the likes; these are just words, I mean er, if  
8 you were truthful in your jihad and if your mother  
9 was truthful in her love to you and we do not doubt  
10 that, then er, the Almighty God er, will turn er,  
11 the sadness that she will be in into joy er, joy and  
12 will await impatiently the news of your martyrdom."

13 Q. What is martyrdom?

14 A. Martyrdom is dying for jihad, for God.

15 THE COURT: Ms. Martin, we will go ahead  
16 and take our morning break. Ladies and Gentlemen,  
17 we will break for 15 minutes. Please remember not  
18 to talk about the case, and we will see you back  
19 here in 15.

20 (Jury exits courtroom.)

21 THE COURT: Either side need me?

22 MS. MARTIN: No, Your Honor.

23 MR. WHALEN: No, Your Honor.

24 THE COURT: Be back in 15 minutes.

25 (Recess taken.)

1 THE COURT: Ms. Martin, continue with the  
2 witness, Agent Golomb.

3 Q. (By Ms. Martin) Special Agent Golomb, before  
4 the break, I believe we were talking about other  
5 users referring to Said Rahim as Sheikh. Do you  
6 recall that?

7 A. I do, yes.

8 Q. And if you will flip to Government's Exhibit  
9 150 and the corresponding audio at 149.

10 The date on the transcript is September 8th,  
11 2016, and the participant here is Said Rahim.

12 Special Agent Golomb, when there's only one  
13 participant and it says one person's name, either  
14 Said Rahim or another individual, does that mean  
15 that there's nobody else on the channel at the time?

16 A. No. And these transcripts, they represent  
17 active participants in the conversation, like who  
18 can be logged in and talking. But at any given  
19 time, there could be hundreds of thousands of people  
20 listening.

21 Q. Okay. We will begin on page 1, line 8.

22 Said Rahim says: "God, brothers. Brothers,  
23 anyone who has any inquiry or questions about the  
24 Islamic Caliphate State er, please go ahead and take  
25 the mic, and you will not be banned or kicked out of

1 the channel. Meaning, as long as you behave, even if  
2 you call the State Kharijites or infidels."

3 He continues on line 20: "This channel existed  
4 to-to remove suspicions eliminate doubts and grays  
5 stuck in the minds of people who hear that the  
6 Islamic State is this this and that. So this is your  
7 chance to see and know the truth from the mouths of  
8 the supporters of the Islamic Caliphate State, er,  
9 and hear from them instead of hearing from er..."

10 Special Agent Golomb, what is Said Rahim asking  
11 other users to do?

12 A. I mean, at this point he's using the room, not  
13 just to recruit those that want to travel, that want  
14 to mobilize, but he's taking those who may have  
15 stumbled upon the room, who may be doubters, who may  
16 just be passive supporters of the Islamic State and  
17 using it to get them to talk so he can build their  
18 support, build their motivation for further support  
19 devices.

20 Q. Does he regard himself an expert on ISIS and  
21 and the Islamic State?

22 A. I believe he does; and others in the room by  
23 calling him "Sheikh" also have that knowledge.

24 Q. And does he use that position to promote the  
25 ISIS agenda?

1 A. He does. He uses that position in this room to  
2 recruit and to preach the ISIS propaganda.

3 Q. If we could turn to Government's Exhibit 156,  
4 and the audio corresponding is at Government's  
5 Exhibit 155.

6 The date on this transcript is October 7th,  
7 2016, participant is Said Rahim.

8 Line 6 he says: "May God bless you brother.  
9 As I told you, God's command takes priority over  
10 mankind."

11 When he says, "May God bless you brother," does  
12 that indicate he's talking to someone?

13 A. It indicates he's answering a question or  
14 talking to other brothers in the room.

15 Q. He continues on line 10: "Er, so your mother  
16 is supposed to incite you to wage jihad for the  
17 cause of God, of course, this is directed to all, to  
18 incite you to wage jihad for the cause of God, to  
19 fight for the cause of God and to acquire this great  
20 honor and this er, great gain. Er, yes, they are  
21 supposed to incite you to do it and not to, I mean,  
22 tell you;"

23 What does "incite" mean?

24 A. Incite means to encourage it, to call for it;  
25 to do something more than just say you need to do

1 it.

2 Q. Continues on line 27:

3 "Have you spent your life as a jihadist for the  
4 cause of God fighting the enemies of the Almighty  
5 God? Or are you living in leisure and bliss er, I  
6 mean, obeying mankind in the disobedience of the  
7 Almighty God?"

8 Then on line 9, page 2: "I mean to say, I know  
9 one of the brothers who mobilized to the land of the  
10 Caliphate and his problem was like yours. Er 'I'll  
11 be angry with you and I'll do so and so.' He did  
12 not care about what they said he mobilized to the  
13 land of the Caliphate er, and he said to his  
14 parents; 'Pray a couple of units of prayers' I mean,  
15 'pray a couple of units of prayers and your hearts  
16 will soften,' meaning that I went to-to carry out  
17 the command of God, glorified and exalted be He."

18 Is Rahim again addressing reluctant parents?

19 A. Yes. He's addressing those in the room and  
20 kind of using a recruit tactic to use an example of  
21 someone who had previously mobilized and disobeyed  
22 his parents. But in the end, the parents will be  
23 proud. So trying to get others who may have that  
24 reservation get over that fact, because in the end  
25 it will be worth it.

1 Q. Continues on line 21: "I mean now they are  
2 pleased with him and proud that they have a son in  
3 the jihad arenas, waging jihad for the cause of God  
4 and fighting the enemies of God glorified and  
5 exalted be He."

6 Page 3, line 2: "Er, so this is a command for  
7 obedience if it were a travel, yeah, 'Don't travel  
8 to study whatchamacallit, don't go whatchamacallit,'  
9 yes I would obey my parents because there is no  
10 disobedience to God in doing so. In such case,  
11 parents' obedience takes precedence. But as far as  
12 jihad for the cause of God, this is a disgrace, this  
13 is a disgrace. God will make disgrace prevail over  
14 some...over them disgrace and God will make disgrace  
15 prevail over those who sit at home."

16 What does disgrace mean?

17 A. Disgrace means if you don't follow what God  
18 wants you to do, wage jihad, to become this martyr  
19 to mobilize, then you will be disgrace to God and to  
20 other believers around.

21 Q. Said Rahim continues on line 22, page 3: "Go  
22 and wage jihad for the cause of God. Glorified and  
23 exalted be He. Mobilize and wage jihad for the  
24 cause of God."

25 Is he telling -- giving a specific order for

1 someone to go and wage jihad?

2 A. Here he is in the channel telling people,  
3 giving them the order to go out and wage jihad for  
4 the cause of God, to mobilize for the cause of God.

5 Q. Page 4, line 3: "Er, I mean, the jihadist has  
6 a great status with God, glorified and exalted be  
7 He. So go, we do not know er, how your parents and  
8 our parents end is going to be but go and wage jihad  
9 for the cause of God and ask God to grant you one of  
10 two glorious things martyrdom or victory in the  
11 hopes that you will die as a martyr and be an  
12 intercessor for your relatives, to intercede for  
13 your parents."

14 Is it beneficial to family members if someone  
15 martyrs themselves for the cause of God in ISIS  
16 ideology?

17 A. It is. In this context, he's trying to reach  
18 those who may have doubts from their parents telling  
19 them not to do such a thing. He's saying, "It  
20 doesn't matter. Once you become a martyr, your  
21 parents, brothers and sisters will already be taken  
22 care of, and they will thank you for that in the  
23 end."

24 Q. Go to Government's Exhibit 186.

25 The date on this transcript is December 17th,

1 2016. The participants are an unknown male and Said  
2 Rahim.

3 Line 7 Said Rahim says: "If you can burn their  
4 businesses or burn er, their homes, I mean the  
5 government officials and police cars... to kill police  
6 individuals. If you can do that then do it. If you  
7 cannot, then immigrate to the Islamic State  
8 immigrate to the Islamic State and train there.  
9 And, by the will of God, the Lord of the Worlds you  
10 will be, I mean, you will be an active member that  
11 wages Jihad against the infidels. I do not know if  
12 you have anything available to you, I mean, police  
13 or such, attack and kill them, good riddance, good  
14 riddance!"

15 Does Said Rahim give an alternative to  
16 immigrating to the Islamic State here?

17 A. Yes. He's basically saying if you cannot get  
18 to the Islamic State, then stay where you are, and  
19 you can also carry out jihad where you are.

20 Q. Is that similar to what we heard the  
21 coconspirator Ibn Dawla saying yesterday?

22 A. It is. It was a common theme that Ibn Dawla  
23 spoke about, and Said Rahim is using the same words  
24 to say the same things.

25 Q. What's the origin of that idea or that



1 ideology?

2 A. It's -- you know, the ultimate goal is to  
3 travel to the Caliphate Land, to die in battle for  
4 God, for jihad. But if you cannot do that, if you  
5 are restricted from doing that, you're not any less  
6 if you go ahead and carry out in your homeland or  
7 where you are, it's the same thing. If you martyr  
8 yourself in your homeland, it's similar to traveling  
9 to jihad and the Islamic Caliphate.

10 Q. And that's an ISIS leadership message?

11 A. It's ISIS's propaganda. It's ISIS's propaganda  
12 to the world telling them that.

13 Q. From one of their top leaders.

14 A. Pardon me?

15 Q. From one of their top leaders.

16 A. From al-'Adnani. I mean, this specific  
17 instruction came out as it got tougher to enter into  
18 parts of Syria and Iraq. And as a response to that  
19 was, you don't have to come here, you can stay where  
20 you are and help us as well.

21 Q. If we could go to Government's Exhibit 196.

22 The date on that transcript is July 15, 2016.  
23 The participants are Said Rahim, and an unknown  
24 male.

25 And on line 7, Said Rahim says: "God bless

1 you. Any method of killing created -- created by any  
2 of the brothers, should post it on Twitter. Post it  
3 on Twitter, on social media and it will reach them,  
4 it will reach the jihadists it will reach them."

5 What does posted on Twitter or social media  
6 mean?

7 A. It means similar to what they are doing in this  
8 channel, The State of the Islamic Caliphate, is  
9 trying to reach as many people as possible to  
10 promote that message. You know, not just doing it  
11 in the channel, to try to get it out on Twitter,  
12 PalTalk, YouTube, whatever they can find.

13 Q. Specifically when you say "post something,"  
14 what does "post" mean?

15 A. Post is to -- whether it's posting the speeches  
16 of al-'Adnani, videos of these martyrdom operations,  
17 examples of individuals martyring themselves and  
18 carrying on those actions.

19 Q. So that would include putting a link up on  
20 these social media platforms.

21 A. Yes, putting links up, exactly.

22 Q. Continues on line 11: "Because this, I mean,  
23 will open up the path for more operations, more."

24 What are operations?

25 A. Whether they be lone wolf attacks here in the

1 states, Europe, or more mobilizing.

2 Q. And then it continues on line 13: "Meaning,  
3 because er, in France, Glory be to God the  
4 monotheist brothers sacrificed themselves over  
5 there. Glory be to God, I mean, lots of operations.  
6 Er, and if we do the math, France got the lion's  
7 share when it comes to those operations. So any  
8 person with an advice - er has an idea er, to kill  
9 those infidels, post it on social media. He will be  
10 rewarded and will be granted goodness er, given with  
11 jihad intentions for God's cause, glorified and  
12 exalted be God."

13 What does he want people to share on social  
14 media?

15 A. He wants to have them share their ideas, their  
16 creative ideas to carry out attacks. We heard  
17 Adnani's message talking about rocks and knives and  
18 sorts. Well, when people execute these truck  
19 attacks, he wants to get the message out to others.  
20 "Hey, if you haven't thought about this, here's  
21 another way to continue these attacks."

22 Q. Said Rahim continues on line 2 and says: "Do  
23 you know the -- the big machine that mulches the  
24 trees? Where you put in the tree and it comes out  
25 as wood shavings. The same thing, where they can

1 put in a French person or an infidel in this  
2 machine, and he comes out a perfect cocktail, huh,  
3 he comes out smashed. I mean, this is just a plan  
4 of many plans. There are lots of plans, lots and  
5 lots of plans..."

6 What is a mulching machine?

7 A. Mulching machine we have seen them here in  
8 Dallas. They are used to basically turn a tree into  
9 mulch, bark, little pieces.

10 Q. And an unknown male at line 7 says: "They say  
11 what? They say terrorists, murderers, savages are  
12 those Muslims. Glory be to God, O God. Aircrafts  
13 are shelling Muslims and burning Muslims in their  
14 own houses, at their residences, a vicious war. The  
15 French warships and French aircrafts, soldiers and  
16 what not are killing Muslims and they don't er, they  
17 don't want a reaction to that? Meaning they secured  
18 their borders but there are lone wolves out there.  
19 Glory be to God and if one of them was killed they  
20 say those are terrorists, those are savages. Yes,  
21 we are terrorists, and terrorism is a duty. We  
22 terrorize the enemies of God. Terrorism is  
23 terrorizing the enemies of God, taking the rights of  
24 Muslims avenging and equal punishment is a duty for  
25 Muslims."

1 And he continues on line 27: "Meaning it has  
2 become where a lone person takes has fatwa from  
3 God's book and the Prophet's Sunna."

4 What is a fatwa again?

5 A. A fatwa is a religious decree and order.

6 Q. What's the order here?

7 A. The order here is -- what he's saying is  
8 unlike, you know, previous organizations like  
9 Al Qaeda, where those directions, those orders came,  
10 you know, sanctioned from up high, here he is  
11 saying, "It's no longer necessary. Lone wolves  
12 already have their fatwa. It's okay to just go out  
13 and kill. Don't consult or talk to anybody. Go out  
14 and do it. You have permission."

15 Q. And if we go to page 3, towards the bottom of  
16 the page, Said Rahim at line 25 starts: "Protect  
17 God...er, we ask God to protect him, meaning, er Glory  
18 be to God, when the Caliphate was established, the  
19 fruits of the Caliphate er, were not condemnation  
20 and rejection, but actions, actions at--at the  
21 battlefields or at -- at the Infidels' own home.  
22 Glory be to God, the Great. It is not a candle  
23 vigil or a homosexuals' march those er, people who  
24 are vile..."

25 Who are the infidels again?

1 A. The infidels are anyone, in defense opinion,  
2 that are not of the same mindset of the fringe of  
3 Islamic extremism he's espousing here.

4 Q. On page 4, Said Rahim continues on line 7:  
5 "Despicable. No, no, here er, they rally through  
6 bombings. Meaning he goes in a-and d-detonates  
7 himself up, his pure body."

8 What does detonate mean?

9 A. It means to -- you know, you're wearing a bomb  
10 or a suicide vest and you ignite it.

11 Q. Line 18, Said Rahim continues: "That's it, it  
12 is as you have said, I mean, there is no need to ask  
13 so and so; that's it, just take off. Depend on God  
14 and take off."

15 So he's saying there's no need to ask for an  
16 official word?

17 A. Yeah, al-'Adnani has given the speech, but in  
18 this particular the defendant uses his own words to  
19 relay that message.

20 Q. These two individuals are talking about France  
21 quite a bit in this video; is that correct?

22 A. Yes, that's correct.

23 Q. The date of this was July 15th, 2016.

24 A. Yes.

25 Q. What happened on the day before?

1 A. July 14th was the terrorist attack that was  
2 claimed by ISIS that happened in Nice, France.

3 Q. This is additional celebration by Said Rahim of  
4 that attack?

5 A. It is.

6 Q. If we could go to Government's Exhibit 180.

7 The date on this transcript is August 28th,  
8 2016. And the participant is Said Rahim.

9 Line 6 Said Rahim says: "Okay, God bless you.  
10 I wanted to take the mic so that I would tell that  
11 one er, in Manchester."

12 What is he saying right there?

13 A. He's speaking to an individual who stated that  
14 he was in Manchester United Kingdom.

15 Q. And the mic is the control of the audio?

16 A. Exactly. He had given that person, probably a  
17 trusted user at this point, permission to ask a  
18 question. He's now answering that question.

19 Q. Said Rahim continues in line 8: "Okay, kill  
20 and do not seek anyone's fatwa and do not consult  
21 anyone, kill. Kill them and do not have mercy or  
22 compassion towards them. Just as the civilian  
23 attire does not shield him from the bloodshed, the  
24 military attire does not condone his bloodshed; they  
25 are all equal in blasphemy. Kill them and er, I

1 mean, don't even consult anyone. Go kill. If you  
2 get a chance now kill him, poison him, throw a  
3 stone, push from a building er, do whatever you do,  
4 most importantly is to kill. Kill with the  
5 intention of jihad for the cause of God and with the  
6 intention that your banner is clear; the banner of  
7 'There is no God but Allah, the One and Only, and  
8 that Muhammad is the messenger of God.' Er, kill  
9 them, that is with the intention of jihad, the  
10 intention of being a jihadist for the cause of God.  
11 I mean perhaps by this act, you will be forgiven of  
12 past and future sins. Rely upon God. If you get a  
13 chance, kill. God riddance; those English!"

14 Where is Manchester located?

15 A. United Kingdom in England.

16 Q. Is he again reciting a version of Adnani's  
17 command?

18 A. Part of it. He is using his own words here  
19 to -- basically where he tells them not to seek a  
20 fatwa, but it seems like he's giving his own order  
21 to go and kill.

22 Q. And I think that you have referred to Said  
23 Rahim recruiting on the channel?

24 A. Yes.

25 Q. And recruiting people to kill nonbelievers and



1 infidels?

2 A. That's correct.

3 Q. We heard several examples of that yesterday?

4 A. Yes.

5 Q. Does he also express his own desire to do  
6 something himself?

7 A. He has. He uses "we" or "I" a lot in talking  
8 about mobilizing to the land of the Caliphate.

9 Q. If we could go to Government's Exhibit 164.  
10 And the corresponding audio is 163.

11 The date on this transcript is September 16th,  
12 2016, and the participant is Said Rahim.

13 Line 6 Said Rahim says: "Peace be upon you  
14 with the mercy of God. If there are -- are you  
15 done?"

16 Does that suggest that someone else was  
17 speaking?

18 A. Yes, that's correct.

19 Q. "Brothers if there are... the media committee may  
20 God reward you well. I mean, I swear these are  
21 excellent words, er, you know this is the kind of  
22 talk we need whether we are supporters or  
23 dissenters. Er, the supporter to increase his  
24 support and er, for God to educate him when he  
25 debates the heresies and the Murji'ites er, and the

1 - the dissenters, until...hopefully God glorified and  
2 exalted be He, enters these words into their hearts  
3 so that their hearts would be humble for the  
4 remembrance of God."

5 And then he continues on page 2 at line 20:  
6 "There are those who believed in His words er, in  
7 their deeds and waged jihad in the cause of God and  
8 were martyred, praise be to the Almighty God. Er,  
9 also dear brothers, there are those who wish er, to  
10 mobilize to the Islamic Caliphate State; as myself  
11 and many brothers they wish to mobilize to the  
12 Islamic State to the land of the Islamic Caliphate  
13 State to wage jihad for the cause of God; er, to  
14 kill and be killed."

15 Is he saying he also hopes to mobilize for  
16 jihad?

17 A. Yes. He basically says, "I hope to mobilize  
18 and kill or be killed."

19 Q. If we could go to Government's Exhibit 224.

20 The date on this transcript is November 28th,  
21 2016. This is Said Rahim.

22 Line 14, Said Rahim says: "We ask God,  
23 glorified and exalted be He, to grant you and us  
24 success to support the methodology of loyalty and  
25 disavowel."

1           He continues on line 22: "We ask God,  
2 glorified and exalted be He to er, to - to affirm us  
3 to support this methodology and to stay amongst the  
4 faithful supporters and then for God to join us with  
5 the jihadists so we can wage jihad for the cause of  
6 God with them; we kill and be killed so God would  
7 accept us as martyrs. We will not accept but to die  
8 as Inghimasis, or in a booby trap, or with a sticky  
9 bomb. We ask God, glorified and exalted be He... or  
10 with a rocket to shatter our bodies and then our  
11 bodies will go to gardens of bless and God."

12           He continues on page 3, line 12: "Those who  
13 left everything and mobilized to make victorious the  
14 religion of God, glorified and exalted be He."

15           Does Said Rahim talk about "us" and "we" in  
16 this audio?

17 A.   He is, yes.

18 Q.   Now, with respect to the Zello platform, is  
19 Said Rahim defensive of the importance of the  
20 platform?

21 A.   He is, very.

22 Q.   And has he expressed a belief that social media  
23 platforms are important to ISIS?

24 A.   Yeah. And in this clip alone, I think he's  
25 talking about, "What we're doing here is still very

1 important. We are raising the support. We are  
2 providing the propaganda. We are recruiting. And  
3 then at that point, when it's our turn, we will be  
4 called upon by God to mobilize and call to jihad,"  
5 yes.

6 Q. If we go to 154; audio is at 153.

7 The date on the transcript is August 17th,  
8 2016. And the participant is Said Rahim.

9 Line 6 Said Rahim says: "The best places on  
10 earth for two people to meet, I mean if the best  
11 places are the land and battlefields of jihad."

12 He continues on line 20: "Yes, how many er,  
13 how many brothers were here talked to each other by  
14 voice, and then met together in the land of Jihad.  
15 Glory be to Almighty God, what a feeling, I mean it  
16 is an unfelt and unrecognized except by those who er  
17 tasted the sweetness of er, meeting the brothers in  
18 God in the lands of Jihad."

19 What do you understand "here" to mean?

20 A. It's a recruiting tactic that he's using.  
21 "While the channel is a great place to meet other  
22 brothers who wish to mobilize and wish to wage jihad  
23 as you do, it's even better once you meet them on  
24 the battlefield. There is no higher place to meet  
25 and than to be friends on the battlefield."

1 Q. And he continues on page 2, line 1: "The other  
2 issue honorable brothers, is do not, I mean  
3 underestimate these program, programs like Zello on  
4 which we are talking right now. Do not take them  
5 for granted at all. Er, how many persons mobilized  
6 because of Paltalk and Twitter, or... I swear by God,  
7 if you use these sites for what pleases God, they  
8 will be extremely useful. How much more useful  
9 would they be when those who use them do so for  
10 Jihad, and for inciting for waging Jihad for the  
11 cause of God!"

12 Is Zello a social media app?

13 A. Yes, it is.

14 Q. What about PalTalk?

15 A. PalTalk is also a social media app, similar to  
16 Zello, but a much earlier version.

17 Q. And how about Twitter?

18 A. So is Twitter, yes.

19 Q. And he's saying that they should be used for  
20 incitement to jihad?

21 A. He gets very excited in saying that the  
22 importance of these social media platforms to  
23 incite, to recruit the members needed for ISIS.

24 Q. If we can continue on line 15: "You confront  
25 them and your body takes the shot for the jihadist's

1 body. Yes, honorable brothers, many mobilized as a  
2 result of one word on this channel, they mobilized  
3 because of a Qur'anic verse, because of a Hadith,  
4 er, or a chant, I mean, a chant which revived the  
5 fervor and the jihadists mobilized or the monotheist  
6 believers mobilized to support the religion of God,  
7 glorified and exalted be He. Er, bless you then,  
8 and do not underestimate these sites."

9 What again is he saying here?

10 A. Again, he's says saying that these sites are  
11 very important for the mobilization, for the  
12 recruitment of ISIS; they are needed for the members  
13 that they need to wage their jihad.

14 Q. Continuing on line 25, Said Rahim says: "Do  
15 not think that the land of Jihad is a picnic -- a  
16 picnic. That is to say, 'Oh I want to go to Jihad,  
17 hold the machinegun, and kill the enemy.' This  
18 issue is not like that. It is not like that. It is  
19 testing from God glorified and exalted be He. When  
20 you are in the land of Jihad, you have to stand firm  
21 er, against your own demon and win."

22 He continues in line 9: "There will be testing  
23 and afflictions; many trials will come your way, I  
24 mean, it might make you think of abandoning Jihad  
25 for the cause of God. Er, but all these are

1 calamities and tests er, s-so that God, glorified  
2 and exalted be He, will find out the truthful ones  
3 among you. Only those who have waged jihad with  
4 their belongings and their persons in the cause of  
5 God, and have never since doubted, such are the  
6 sincere ones. In order for you to prove er, that you  
7 are truthful, you have to wage Jihad for the cause  
8 of God, faithfully er, and be sure that er, you do  
9 this act to please God, glorified and exalted be He,  
10 and to get closer to Him."

11 And then on page 4, he continues at line 24:  
12 "This is the jihadist's state for the cause of God,  
13 glorified and exalted be He. I call upon myself and  
14 you to have a pure intention so that God will  
15 facilitate for us to do Jihad for His cause."

16 Is Said Rahim talking about himself committing  
17 jihad right there?

18 A. Yes, he is.

19 Q. If we could turn to Government's Exhibit 210,  
20 corresponding audio is 209.

21 Date on this transcript is June 5th, 2016. The  
22 participants are Said Rahim and an unknown male.

23 Line 7, the unknown male says: "They are  
24 waging a campaign, deleting the accounts of the  
25 supporters, so God is our Helper, now may God

1 annihilate them without exception."

2 What do you believe accounts mean?

3 A. Accounts in this case could mean accounts on  
4 Zello, Twitter, Telegram, YouTube, FaceBook.

5 Q. Social media accounts?

6 A. Social media accounts, yes.

7 Q. And then if we go to line 23, Said Rahim says:  
8 "Whether you are Arabs or non-Arabs, may God grant  
9 you all long lives, may God grant long lives to the  
10 supporter of the Islamic Caliphate State."

11 It continues: "Exclude from this greeting er,  
12 the traitors and the sinful deceitful hands, er, and  
13 the enemies of God and His Messenger, er, who fought  
14 against God and His Messenger. God's soldiers are  
15 the victorious...

16 "... of course, dear brothers, these are normal  
17 things that are happening. Some of the brothers'  
18 Twitter accounts were banned a hundred and two  
19 hundred times, and three hundred times, but should -  
20 should our support to the Caliphate Islamic State  
21 stop, or, I mean, do we stop or weaken? No, by God,  
22 rather this increases our strength and  
23 determination, because we know we are on the side of  
24 the truth."

25 Is he acknowledging that the accounts of the



1 ISIS supporters are being deleted?

2 A. He is, yes.

3 Q. And then in line 21 he says: "Also, we say  
4 that you are good and that you are the trenches --  
5 in the trenches supporting your jihadist brothers."

6 Who is he talking about when he says, "you are  
7 in the trenches"?

8 A. Talking to members of that channel are already  
9 over in the State of Islamic conflict, fighting in  
10 the trenches, fighting the infidel.

11 Q. We've talked about recruiting. And in  
12 Government's Exhibit 162, the corresponding audio is  
13 Government's Exhibit 161.

14 Participants are Said Rahim, Unknown Male 1,  
15 and Unknown Male 2. And beginning on page 2, line  
16 21, does Said Rahim again use recruiting techniques  
17 here?

18 A. Yes, he does.

19 He specifically states: "For a person to be  
20 with the truth, and defend it with his tongue until  
21 God enables him to mobilize and perform Jihad with  
22 his tongue and with his sword."

23 So there he's saying you can perform jihad now  
24 in this room. You can assist ISIS. You can help  
25 recruit, help mobilize, and then when it's your

1 turn, you can wage jihad.

2 Q. On line 24 it continues: "And his weapon and  
3 his machine gun as our brother Gharib al-Diyar did."

4 Is he saying another brother from the channel  
5 did mobilize?

6 A. Yes, he is. Brother Gharib al-Diyar was also a  
7 prominent member of the channel who was said to have  
8 mobilized and traveled to this area.

9 Q. He continues at line 28: "Yes, this is the one  
10 who is among us and with us on this channel, but he  
11 mobilized. He mobilized to the Caliphate lands,  
12 praise be to God, Lord of the World. He is  
13 sharp-tongued with forceful statement and argument  
14 and now he is on the battlefields."

15 Said Rahim says at line 10: "And many  
16 brothers, by God for real er, who were on this  
17 channel, mobilized. So praise be to God. Do not  
18 underestimate this forum and in this er channel - in  
19 this channel. Do not underestimate..."

20 And he continues at line 18: "I swear by  
21 Almighty God, many mobilized... His affair because of  
22 it after ... maybe one word, I mean, a word changed  
23 the life course of a person after he heard... or heard  
24 a Qur'an verse or a lesson or story from the  
25 Prophet, God's prayer and peace be upon him, or---or

1 a sermon or, I mean, something which moved his heart  
2 because of a word or a stand. Praise be to God..."

3 Is he talking about words on the channel?

4 A. He's talking about members of the channel  
5 mobilized, and they've mobilized based on the words  
6 spoken in that channel; mostly by him in this  
7 regard, in which he's taking credit for.

8 Q. And does he even become defensive at some  
9 points about the importance of the channel?

10 A. He does. He constantly defends the channel and  
11 the importance of the channel and the importance of  
12 his role in the channel in furthering that  
13 propaganda and message.

14 Q. If could you look at Government's Exhibit 138,  
15 corresponding audio is 137.

16 Date on this transcript is June 4th, 2016. And  
17 the participants are eight unknown males and Said  
18 Rahim. It's a larger group talking in this one; is  
19 that correct?

20 A. Yes.

21 Q. Okay.

22 On line 14, Unknown Male 1 says: "Brothers, I  
23 have a question. So are you a state or commoners,  
24 Muslims or what?

25 Line 23, Unknown Male 3 says: "Just so you

1 would know, no one can hear you but the moderators.  
2 Apply the channel conditions. You talk and no one  
3 can hear you but the moderators."

4 Why is it that no one can hear him except for  
5 the moderators?

6 A. He has not yet become a trusted user. Only the  
7 trusted users can hear him talk.

8 Q. He continues on line 26: "I mean, Just keep  
9 this in mind, glorified be the Almighty God. God is  
10 the One sought for help over you. If you enter the  
11 channel, you can hear it. Abide by the channel  
12 rules, may God bless you, so we can unmute you.:

13 Line 5 Said Rahim says: "Okay er, the  
14 person that is asking if this is a State channel and  
15 whatnot, you are a trusted person. I don't know but  
16 you did enter the channel and it seems that you  
17 fulfilled the conditions some time ago, not sure  
18 when but you are trusted."

19 What does trusted mean?

20 A. It means that the moderators or admin of that  
21 channel has given him status to speak in the room.

22 Q. So the one talking has at some point gotten the  
23 trusted?

24 A. That's what it appears, yes.

25 Q. "I don't know. I mean is this your device or

1 are you using someone else's device?"

2 What does device mean?

3 A. Device in this case would be a mobile phone.

4 Q. "You mean you don't know this channel? I want  
5 to know. How did you enter the channel and  
6 fulfilled the conditions if you don't know what the  
7 channel is?"

8 Is Said Rahim suspicious of this user?

9 A. Yes, he is.

10 Q. On page 3, Unknown Male 4 says: "I mean, In  
11 the last caption, the State shows off the spoils,  
12 and I mean with the er debilitating Saudi Arabia  
13 printed on the boxes. Those low life Sahawat, but  
14 praise be to God everything is now a spoil for the  
15 State. They don't know, I mean they don't know how  
16 to use those things. They don't know."

17 Unknown Male 5 responds: "May God bless you  
18 brother, correct, correct brother and may God bless  
19 you. I am Ibn...I am not only Ibn al-Dawlah but I am  
20 Dawlah and praise be to God, I am the son of the  
21 State at the same time. Praise be to God, it is all  
22 by His favor the Almighty. I am there at the  
23 outpost and do return home every now and then. May  
24 God bless you. I would like to ask er, a question,  
25 one that has been confusing me. Praise be to God,

1 there are lots of supporters, there is no one... but  
2 if you want to support, do support by fighting, as  
3 well. May God bless you."

4 Now, is this the Ibn Dawla we were talking  
5 about from Italy?

6 A. No, not in this case.

7 Q. What is Dawlah? Is Dawla a significant word?

8 A. Dawla means from the State.

9 Q. And so when he says here, "I'm at an outpost,"  
10 what does "an outpost" mean?

11 A. Most likely he's referring to an outpost in  
12 Syria after having left the battlefield.

13 Q. And then he says: "But if you want to support,  
14 do support by fighting as well."

15 What he is saying?

16 A. He's encouraging others that you can support  
17 online here, but also do so by making your way and  
18 fighting for ISIS.

19 Q. And Said Rahim responds, beginning on line 28:  
20 "Okay. May God bless you. Meaning er, many  
21 brothers on this channel have mobilized and God  
22 willing all the brothers on this channel are a  
23 Mujahidin project. Everyone on this channel,  
24 everyone on this channel is a Mujahidin project.

25 What is a Mujahidin?

1 A. Mujahidin is fighter, one who wages jihad.

2 Q. He continues on line 5: "Supporting the  
3 Mujahidin by word is not less important than that of  
4 er, the sword, the cannon, or the machine gun. So,  
5 Praise be to the Lord of the Worlds. How many  
6 people on this channel were set to the right path by  
7 God glorified and exalted be He, and became  
8 supporters of the Islamic Caliphate State. But we  
9 ask God, glorified and exalted be He, to -- to  
10 expedite our mobilization, this media battle."

11 What is he saying, that the channel is equal to  
12 what?

13 A. The channel is equal to mobilizing and to  
14 fighting. But like any war, you need recruits; you  
15 need people to mobilize. He has taken people, all  
16 these listeners, whether they had support or no  
17 support, and hopefully excited them to make that  
18 decision to travel.

19 Q. And then in line 13 he asks God to expedite  
20 "our" mobilization; is that correct?

21 A. Yes.

22 Q. And then in line 23, Said Rahim says: "Many of  
23 the brothers had suspicions and did not know the  
24 Caliphate State and did not know anything about the  
25 Caliphate State, they only listen to the media. When

1 they came to this channel, I mean, we directed them  
2 to er, the A'maq news agency, and er, to the  
3 available links on Telegram and Twitter, and I mean,  
4 a-and er, as well as the Al-Bayan news bulletin."

5 What is A'maq?

6 A. A'maq is the official news press agency for  
7 ISIS.

8 Q. And he's saying many brothers on the channel  
9 didn't really know about ISIS when they were on it;  
10 is that correct?

11 A. Correct.

12 Q. And then on the top of page 5, he again  
13 references Telegram and Twitter.

14 Is this the same Telegram that Marshal Major  
15 Napoletano was referring to yesterday?

16 A. Yes, it is.

17 Q. If we could see -- if everyone could turn to  
18 Government's Exhibit 158.

19 And the date on this is September 22nd, 2016.

20 The participants are three unknown males, Said  
21 Rahim, Abu-Haffs and SW or saw...saw12.

22 On line 15, Said Rahim says: "Yeah, tell him  
23 we are ISIS, could we be friends? Tell him could we  
24 be friend? I am ISIS."

25 And then AH says: "May God keep you laughing,



1 Doctor, it does not look like this one understands."

2 What does he mean by "Doctor"?

3 A. In this case, the moniker he's using  
4 Dr. sa7wat. He is proud of himself. He sees  
5 himself as someone who can judge the true believers  
6 on the channel from those who aren't, so. . .

7 Q. And did we see the Dr. sa7wat name frequently  
8 in the channel actions?

9 A. We did, yes.

10 Q. Now, if we could publish the audio, beginning  
11 at line 25, which is in English.

12 While we're waiting for that audio. On the  
13 transcript, page 2, line 6, Said Rahim says: "No,  
14 no, those... may God bless you, no, no, kick those  
15 out. Those should be kicked out, meaning to be  
16 kicked out, kicked out. You don't know if they are  
17 hacker or anything else."

18 What is hacker?

19 A. Hacker in this case is there were those that  
20 obviously are not supporters of the Islamic State  
21 and, in fact, did not like that support. And they  
22 would try to enter the room and hack it and shut the  
23 channel down if they could.

24 Q. And then in line 15, SW says: "Brothers, there  
25 is a publication called 'Massacre of Courage-3.' I

1 mean, what a publication. Praise be to God! The  
2 brothers hunting er Rafidah like er, I mean as if  
3 they are on hunting trip in a way."

4 Said Rahim responds: "...the tourism of the  
5 Nation of jihad."

6 And he continues on page 3, line 14: "Welcome  
7 to the channel of the supporters of the Islamic  
8 State."

9 Is that correct?

10 A. That is correct, yes.

11 MS. MARTIN: Now, if we could please hear  
12 the audio of Government's Exhibit 157.

13 (Audio played.)

14 Q. (By Ms. Martin) Special Agent Golomb, did you  
15 review the profile picture of the owner of the  
16 channel of the State of the Islamic Caliphate?

17 A. Yes, I did.

18 Q. And what types of things are on the profile  
19 page?

20 A. Of the owner?

21 Q. Yes.

22 A. I believe the owner's profile is a flag that  
23 represents the Islamic State.

24 Q. What else?

25 A. There are also links that the channel owner

1 provided for users.

2 Q. And were -- did you review those links?

3 A. I did.

4 Q. And did you ask people in your office to help  
5 you review those links?

6 A. Yes. I asked Jake Hauske to go online and to  
7 go to that link and look at those documents and  
8 download them for us.

9 Q. Is that the disk of documents that he testified  
10 about previously?

11 A. Yes, it was.

12 Q. And did you take screenshots of that portion of  
13 the owner's profile page?

14 A. I did, yes.

15 MS. MARTIN: Your Honor, may I approach?

16 THE COURT: You may.

17 Q. (By Ms. Martin) Special Agent Golomb, I just  
18 handed you what's been marked as Government's  
19 Exhibit 307.

20 Do you recognize that?

21 A. Yes, I do.

22 Q. What is it?

23 A. These are actually screenshots taken by Jake  
24 Hauske of the archive site on the owner's page.

25 Q. And did you take those screenshots?

1 A. I remember being on the page and taking  
2 screenshots as well. I don't know if these are his  
3 or mine, but yes, I did take screenshots, myself, of  
4 this page.

5 Q. Does that represent exactly what you saw on the  
6 screen when you took the screenshot?

7 A. Yes.

8 Q. Has it been changed or altered in any way?

9 A. No.

10 Q. And you're comfortable that that's what you saw  
11 on the screen?

12 A. Yes, I am.

13 MS. MARTIN: Your Honor, the government  
14 moves to admit Government's Exhibit 307.

15 THE COURT: Mr. Whalen?

16 MR. WHALEN: We object as to predicate,  
17 Your Honor.

18 THE COURT: Would you like to ask him  
19 anything?

20 MR. WHALEN: No.

21 THE COURT: All right. 307 is admitted.

22 Q. (By Ms. Martin) If we could publish 307,  
23 please.

24 Special Agent Golomb, what is running on the  
25 bottom of Government's Exhibit 307?

1 A. On the bottom begins the list of approximately  
2 73 documents that have been published to that site.

3 Q. And do you read Arabic?

4 A. I cannot.

5 Q. So you haven't read these documents?

6 A. No.

7 Q. Once Mr. Hauske downloaded each one of these  
8 documents, each one to a list, did you go through  
9 the documents?

10 A. We went through the titles of all the documents  
11 with the linguist, yes, as well as portions of the  
12 documents.

13 Q. And were there -- did you, yourself, do screen  
14 captures and print out specific documents within  
15 these 72?

16 A. I did, yes, from Jake's disk I did; yes.

17 Q. And when you printed out those documents, did  
18 you -- did you review the pages that you were  
19 printing out?

20 A. Yes, I did.

21 Q. And did you place them onto a disk?

22 A. Yes, I did.

23 Q. And about how many documents did you take  
24 screen captures of to place on a separate disk?

25 A. I think we took about five of those documents

1 off.

2 Q. So five of the documents from --

3 A. From the 73.

4 Q. That Mr. Hauske downloaded?

5 A. Correct, yes.

6 Q. They were exact downloads from the one  
7 Mr. Hauske captured?

8 A. Yes, they were.

9 MS. MARTIN: May I approach the witness,  
10 Your Honor?

11 THE COURT: Yes.

12 Q. (By Ms. Martin) Special Agent Golomb, I hand  
13 you what's been marked as Government's Exhibit 310.

14 A. Yes.

15 Q. What is that?

16 A. This is the CD containing the five documents I  
17 pulled off Jake Hauske's disk.

18 MS. MARTIN: Your Honor, at this time the  
19 government would ask to move to admit Exhibit 310.

20 MR. WHALEN: We object under 401 and 403,  
21 Your Honor.

22 THE COURT: Ask more questions. I'm not  
23 sure why this is relevant.

24 Q. (By Ms. Martin) Special Agent Golomb, were you  
25 able to get a sense, based on the information

1 provided to you from the linguist what type of  
2 documents were provided on this?

3 A. Yes. The linguist provided a title of all the  
4 documents on this page, to start.

5 Q. And were these documents that would be  
6 important to ISIS's mission?

7 A. They were. They had been posted on the owner's  
8 page. These were linked to these documents, which  
9 basically provide information on how to become a  
10 martyr, how to pledge allegiance to ISIS, how to  
11 pledge allegiance to Osama bin Laden, how to  
12 maneuver around Telegram, how to hide yourself on  
13 Telegram, how the Islamic State works, things of  
14 that nature.

15 Q. All of these documents were for furthering  
16 ISIS?

17 A. Yes. Many of these documents were documents  
18 produced by ISIS media, yes.

19 MS. MARTIN: We would move to admit  
20 Exhibit 310.

21 THE COURT: Overrule the objection.

22 MR. WHALEN: I object -- I still --  
23 objection -- additional objection would be hearsay,  
24 Your Honor.

25 THE COURT: How do you get around the

1 hearsay?

2 MS. MARTIN: Your Honor, these are on the  
3 channel. These are contained on the channel,  
4 itself. The links are on the channel --

5 THE COURT: They are still out-of-court  
6 statements, aren't they?

7 MS. MARTIN: They are not offered for the  
8 truth of the matter asserted, Your Honor, they are  
9 offered to show the information that is contained on  
10 the channel that is being distributed to anyone that  
11 can access it.

12 THE COURT: Mr. Whalen?

13 MR. WHALEN: Your Honor, I think it would  
14 still have the same effect.

15 THE COURT: I think you say that, but I  
16 think it is offered for the truth. I'm not going to  
17 let it in right now.

18 MS. MARTIN: Okay. Thank you, Your Honor.

19 Q. (By Ms. Martin) Special Agent Golomb, I  
20 believe you testified earlier that your  
21 investigation started in the spring of 2016; is that  
22 correct?

23 A. That is correct, yes.

24 Q. And early on in your investigation, or even  
25 before you opened yours, did the FBI reach out to



1 the Italian authorities?

2 A. They did. Before they reached out to us, they  
3 were made aware of another user in the room,  
4 Ibn Dawla. And his records, his IP addresses had  
5 come back to Italy, so we began to send information  
6 immediately to Italian authorities.

7 Q. What was particularly disturbing about  
8 Ibn Dawla's activity in the room?

9 A. Ibn Dawla is an individual who would be  
10 discussing booby traps, making of bombs. He had  
11 discussions about possibly executing knife attacks  
12 in Europe.

13 Q. And during the course of your investigation,  
14 did you come to share information with the Italian  
15 authorities on a regular basis?

16 A. We did. We had an exchange of information  
17 during this time.

18 Q. And, in fact, you were able to obtain some of  
19 their evidence in this case?

20 A. I was, yes.

21 Q. If we could go to Government's Exhibit 114 and  
22 the corresponding audio at 113.

23 The date on this transcript is November 13th,  
24 2015. The participant is Ibn Dawla.

25 Line 6, Ibn Dawla says: "...Brother, this is

1 one of the easiest bombs, it is called a booby trap  
2 explosive. It is called a booby trap explosive. It  
3 is done, er, I mean er it op- operates by pulling a  
4 cord or by-by defusing it. I mean, it does have a  
5 er, hand grenade detonator. Meaning, er, I mean, it  
6 is inside a-a regular bomb, an adhesive explosive  
7 bomb, a circuit television or a scattered one or all  
8 types of bombs. As long as it is er, in the hand  
9 grenade, the detonator is pulled out from the hand  
10 grenade, and it would have er, a quick filament and  
11 not a slow one. The filament would be er, highly  
12 flammable and not-not a slow one. So, upon pulling  
13 the filament would disconnect instantly and it  
14 explodes. We ask God, glorified and sublime be He,  
15 to keep our jihadist brothers."

16 Was this shared on the Islamic Caliphate  
17 channel?

18 A. Yes, it was provided on the public channel.

19 Q. What does it suggest he's talking about or  
20 showing?

21 A. This is one of the clips that concerned us when  
22 he's talking about how easy it is to build the bombs  
23 and give descriptions of them.

24 Q. This is the Ibn Dawla from Italy that we  
25 identified yesterday?

1 A. We identified him to be that, yes.

2 Q. Page 2, line 27, Ibn Dawla said: Give us some  
3 time. I mean, once we invade the entire world and  
4 the internet becomes run by Muslims and world  
5 communications become in the hands of Muslims, then  
6 God willing, we will change applications. We will  
7 change sites and change everything. But it is not  
8 that time. One thing at a time."

9 Does this reflect the importance of the  
10 internet to the ISIS mission?

11 A. It does.

12 Q. If we could turn to Government's Exhibit 116,  
13 the audio at 115.

14 The date on this transcript is November 20th,  
15 2015. The participant is Ibn Dawla. Ibn Dawla  
16 begins at line 6: "No one put you on mute brother  
17 Abu-Mus'ab, no one put you on mute. You are our  
18 brother and you are beloved by us. No one put you  
19 on mute, no one put you on mute. And God willing,  
20 they will not do it either, as long as you are er,  
21 with us, our brother and beloved by us."

22 So is Ibn Dawla talking about the muting of the  
23 users on the channel?

24 A. Yes. At that point, Ibn Dawla was  
25 moderator/admin on the channel.

1 Q. So he and Said Rahim were moderators on this  
2 group?

3 A. Yes.

4 Q. If we could turn to page 2, line 22, Ibn Dawla  
5 says: "You were the first ones to fight it. You  
6 wanted God to send a new Saladin? And God made  
7 Saladin available but you chose the corrupted  
8 religion."

9 Did we hear testimony yesterday that Saladin  
10 was a user name associated with the Ibn Dawla  
11 moniker?

12 A. It was. He used it for an email, yes.

13 Q. If we could turn to page 3.

14 At line 25, Ibn Dawla says: "God willing we  
15 are all jihadists and we are all the Islamic State.  
16 O God! Send us with the ones we love and send them  
17 with the ones they love. Oh believers, have faith."

18 And Ibn Dawla is saying they are all jihadists?

19 A. Yes, yes, the channel.

20 Q. And is he referring to the channel?

21 A. Yes. He's referring to the State of the  
22 Islamic Caliphate channel.

23 Q. If you could turn to Government's Exhibit 120.  
24 The corresponding audio is 119.

25 The date on this transcript is February 23rd,

1 2016, and the speaker is Ibn Dawla:

2 On page 2, line 8, Ibn Dawla says: "By God,  
3 the one and only America, er, I mean has spent so  
4 much money I mean that if burnt you can't be done  
5 with it -- you can't be done with it. All to  
6 slander and destroy Islam, using movies and stuff  
7 you cannot even think of."

8 It continues on line 26: "But glory be to God  
9 as he brought them a thorn in their throat called  
10 the Islamic State. Yes, you are mighty. You are a  
11 super power country, and I will not give you oil.  
12 I'm not scared of you, nor will I concede. If you  
13 kill a Muslim akin to me, I will kill ten of you.  
14 There's no such thing as to kill a Muslim and have  
15 us say, er, never mind. And because Obama was  
16 considerate and such...no, I will fight you. If I  
17 can't today, I will tomorrow. I will enter your  
18 country and er, with a suicide belt and a bomb and  
19 such. By God, Glorified and Sublime be He, meaning  
20 blood will be met with blood and destruction with  
21 destruction. This is the Islamic State. May God  
22 reward you. I kept you very long, but this is the  
23 Islamic State. Do not listen to those corruptors my  
24 dear brother. If they were any good, they would  
25 have been in the jihad."

1 Ibn Dawla is talking about traveling to America  
2 to commit an attack?

3 A. He is, yes.

4 Q. How many users, again, were on the State of the  
5 Islamic Caliphate channel?

6 A. Well over 10,000 subscribers.

7 Q. And we heard Said Rahim telling people to share  
8 ideas on the channel about killing infidels; is that  
9 correct?

10 A. That is correct.

11 Q. If we continue on line 19, Ibn Dawla says: "It  
12 is against them. If they know the rightness, they  
13 will perform jihad. If the Islamic State is not  
14 performing jihad for rightness, then tell him to  
15 leave and perform jihad for rightness."

16 Line 25: "By God, the One and Only, you are  
17 sitting in a coffee shop with your legs crossed and  
18 badmouthing the Islamic State and slanders whoever  
19 drives a 50-ton truck and has a body shredded for  
20 God."

21 What is he referring to when he's talking about  
22 the 50-ton truck?

23 A. Talking about the attack in Nice, France.

24 Q. How many casualties, do you remember, in  
25 that --

1 MR. WHALEN: Objection, asked and  
2 answered.

3 THE COURT: Overruled.

4 A. I believe upwards of 70 or more.

5 Q. (By Ms. Martin) Let's go to Government's  
6 Exhibit 122.

7 The corresponding audio is Government's Exhibit  
8 121. The date on the transcript is September 19th,  
9 2016. Participants are Said Rahim, Hammudi44 and  
10 Ibn Dawla.

11 Line 8, Said Rahim says: "Okay, Peace be upon  
12 you, greetings from God. I mean it seems like this  
13 person is a neighbor of mine, but I don't know...  
14 Are you from the 48 region?"

15 Is this the transcript that we did refer to  
16 yesterday with Mr. Dr. Vidino?

17 A. It is, yes.

18 Q. And Ibn Dawla responds: "He's all yours  
19 Angousha, please forgive me, by God brother. He's  
20 all yours brother, he's all yours, bring us good  
21 news about him my brother. I mean he is from er-er  
22 the region and you know er its people better."

23 Is Ibn Dawla passing off a new user to Angousha  
24 or Said Rahim here?

25 A. He is, yes. He understand where Angousha is,

1 where he's from, quite familiar with him. And  
2 explains to the user, "He's better to tell you about  
3 these things, he's from that region." Yes.

4 Q. Let's see. Let's turn to Government's Exhibit  
5 130. The corresponding transcript is Government's  
6 Exhibit 129.

7 The date on the transcript is May 20th, 2016.  
8 The participants are Ibn Dawla and Said Rahim.

9 Ibn Dawla says: "Peace be upon you with the  
10 mercy and blessings of God. My question -- my  
11 question is as follows: It says, did it go down on  
12 its own or was it shot down?"

13 And Said Rahim responds: "There is  
14 non-confirmed news that I mean they say it was shot  
15 down. Fine, so now they are late and analyze this.  
16 First off, they were late to announce it, because  
17 they have nothing. They have nothing. They have  
18 nothing, so they are just sitting there, awaiting to  
19 see if the State or someone will announce it. Er...so  
20 then we wait and God willing, it is the State."

21 What are they talking about here?

22 A. They are having discussions about ongoing  
23 attacks and whether they were going to claim  
24 responsibility for them.

25 Q. And then on page 2, line 20, Said Rahim



1 continues -- I'm sorry Ibn Dawla begins on line 20:  
2 "I am with you and for you, same thing, same thing.  
3 We wait and ask God, glorified and sublime be He,  
4 that it is reserved for the jihadist, that it is in  
5 the Jihadist basket, by the will of God, glorified  
6 and sublime be he."

7 Said Rahim responds: "Follow up and see.  
8 Follow up and call, see, make some calls. Call news  
9 agencies and see. Look, call the newspapers and  
10 find out. This, I mean, follow up on the subject.  
11 Look up the news broadcasters in Egypt. What do  
12 they say and so on and such."

13 Ibn Dawla responds: "Yes, yes, God willing,  
14 God willing. Our eyes are on the news of every  
15 kind. We will listen to all kinds until we find  
16 out, God willing, whether this was the state, praise  
17 be to God, I mean that this act will find a very  
18 strong residence, more than taking a risk, a  
19 residence, a residence, God is our helper."

20 Are they talking about some attack that they  
21 don't know who is responsible for?

22 A. Yeah, I believe there was an attack at that  
23 time in Egypt.

24 Q. And is it important for them to find out who  
25 did it?

1 A. It is. They want to find out so they can be  
2 the first to claim it on the channel; to let the  
3 others know, "Look what we did," show their  
4 importance.

5 Q. And we heard some testimony yesterday about  
6 media committees; is that correct?

7 A. Correct.

8 Q. And so this would fall into that importance of  
9 getting out the media message?

10 A. It would. Direction and control of the  
11 channel, what are we putting out? What is the  
12 propaganda we are going to show the room?

13 Q. And if we could turn to Government's Exhibit  
14 172. The corresponding audio is Government's  
15 Exhibit 171.

16 This transcript is on September 22nd, 2016.  
17 The participants are Said Rahim, Ibn Dawla, and  
18 Abo-Malek1992.

19 In line 8, Said Rahim says: "May God bless you  
20 Ibn-al-Dawla. Er...I mean, we say the verse from the  
21 poem we recite always: 'And leapt on the army of  
22 deception severing its evil soldiers' joints.' I  
23 mean, the unbelievers, hypocrites, and apostates and  
24 the International Intelligence Systems, er, as well  
25 as the inferior Arabic ones, the Hebrew, thought

1 that er, I mean, with the martyrdom of the two  
2 leaders: Al-'Adnani and previously al-Shishani, may  
3 God accept them both, that this is the end of the  
4 Caliphate State, like the produce cart flipped over  
5 and that it will take them 20,000 years to be  
6 revived again. But, by the grace of God, glorified  
7 and sublime be He, we er, follow an ideology and do  
8 not follow persons. This is what our sheikh er...Asad  
9 al-Tawhid said, may God protect him, I mean, when he  
10 came on the channel a while ago and I told him, I  
11 mean, to speak."

12 Who is al-'Adnani again?

13 A. Al-'Adnani is the second in command and  
14 spokesperson for ISIS.

15 Q. Did something happen to him?

16 A. I believe he was killed in battle.

17 Q. And then, again, he's referring to al-Shishani  
18 as well?

19 A. He is.

20 Q. And who was al-Shishani?

21 A. Al-Shishani was the Chechen foreign fighter,  
22 famous amongst ISIS fighters, military commander in  
23 Syria.

24 Q. On page 2, Said Rahim continues: "But he said  
25 some words, and these are the words he said, with

1 God's grace, was fruitful er, that for, this martyr,  
2 is done, if he ascended, he disembarked his horse,  
3 and it is not er, it is the one who comes after him  
4 that will be stronger than him er, and they will  
5 continue the Jihad. Jihad will not stop er, even  
6 for one second if one person dies or if one person  
7 is martyred. On -- on the contrary, and God,  
8 glorified and sublime be He, showed that."

9 Who is he talking about being martyred?

10 A. He's talking about 'Adnani being martyred. And  
11 it doesn't stop with that. "We will take up his  
12 place. We will push out the propaganda that he  
13 started."

14 Q. When he says "we," who is he referring to?

15 A. The admin and moderators of that channel,  
16 authorized supporters, anywhere across the world.

17 Q. And Ibn Dawla responds on line 13: "You lost  
18 the mic brother Angousha. You told the truth, had  
19 this er... I mean had this er religion not been an  
20 ideology, it would have been that when the Prophet,  
21 God's peace and blessings be upon him, died, Islam  
22 would have ended."

23 And Said Rahim responds on line 24: "May God  
24 bless you all. We do not deny that we love  
25 al-'Adnani, we love this lion. We always waited for

1 his words, but, I mean, do we stop with his  
2 martyrdom? No! No, I swear by God. No, but we  
3 wait er, for the conquests which these great leaders  
4 will accomplish, er, the Godly leaders er, after  
5 him. I mean, we saw three martyrdom seekers er, I  
6 mean, a whole village they freed few villages, or  
7 few villages; three of them, only three. This, now,  
8 er, the name of the Islamic State became an  
9 international brand, er... feared, er, feared by the  
10 Crusaders and unbelievers. When you say 'The  
11 State,' I mean you see their faces darkens, we take  
12 refuge in God, I mean, when they hear 'The State.'

13 What is Said Rahim talking about, the fear?

14 A. He revels in and enjoys the fact that when  
15 others hear the Islamic State or ISIS, they look  
16 fearful, they look scared.

17 Q. Is it because of the violence of the Islamic  
18 State?

19 A. It is. It's because of the violence that he  
20 projects, that he propagates on this channel, that  
21 same exact violence.

22 Q. Were Said Rahim and Ibn Dawla both members of  
23 multiple committees within this State of the Islamic  
24 Caliphate channel?

25 A. Yes, they were.

1 Q. And did these committees seem to formalize an  
2 agreement between the controllers of the channel?

3 A. Yeah. They often had conversations doling out  
4 responsibilities, putting certain moderators and  
5 certain committees to help spread the message, share  
6 the burden of providing the message on the channel.

7 Q. If we can turn to Government's Exhibit 124, the  
8 corresponding audio at 123.

9 On October 8th, 2016, and the participants are  
10 Said Rahim and Kalid Al Potete.

11 Line 7, Khalid al-Khatib says: "Our brother,  
12 Angousha, greeting from God. I mean I am er, trying  
13 I mean ... we met with ... I met with the Media  
14 Committee and we met with the Coordination Committee  
15 and what is left is the Discussion Committee. I  
16 sent to er, the Discussion Committee but not all of  
17 them got on; Ibn al-Dawla got on, Abu-'Uday also got  
18 on and you were the third one. So I need to meet er  
19 with them er, but they did not get on. To get over  
20 with the matter of the meeting and determine er, the  
21 thing."

22 And Said Rahim says: "There are two right now,  
23 Peace be upon you and greetings from God. I swear I  
24 am here and present. You just sent me the invitation  
25 and you er just told me, because I was driving the

1 car, I mean I did not pay attention. But I looked  
2 ten minutes ago and there was no invitation. Though  
3 I mean, I got the one that you have sent me er, the  
4 password, that you had mentioned. Greetings from  
5 God. All right, is any of them available on the  
6 Channel? Those individuals. Those are...who are  
7 they? Ibn al-Dawlah, Abu-'Uday and who else? Er,  
8 al-Hadrami? Who are they, can you name them for me,  
9 if you please?"

10 What are they talking about coordinating here?

11 A. The defendant is conspiring with these other --

12 MR. WHALEN: Objection. That's a legal  
13 conclusion. I object to that.

14 THE COURT: Overruled.

15 A. -- conspiring with these other individuals,  
16 admin/moderators to continue to discuss the  
17 organization of the room, the responsibilities, who  
18 is on these committees, you know, how the propaganda  
19 is going to disseminate out of the room.

20 Q. Was the goal to more effectively run the ISIS  
21 channel?

22 A. Yes, it was.

23 Q. Now, we see in this transcript that Said Rahim  
24 says, "I got the one that you have sent, er, the  
25 password."

1 Does it take a password just to get on the  
2 channel itself?

3 A. No, it does not.

4 Q. So this is some separate, more secretive  
5 conversation they are alluding to?

6 A. Yeah, using maybe other password-protected  
7 social media platforms, such as Telegram.

8 Q. If we could see Government's Exhibit 198 or  
9 turn to that exhibit. Corresponding audio is at  
10 197.

11 And the date on this transcript is  
12 September 19th, 2016. Participants are Said Rahim  
13 and Abu all with a lead all gentlemen note tea and  
14 Said Rahim says beginning on line 21: "Praise be to  
15 God, the Lord of the Worlds, meaning er, a stabbing  
16 operation er, in one of the-the23 er, shops in the  
17 state of Minnesota carried out by one of the heroes  
18 of the Somalian young men er, who stabbed nine  
19 people. Er, and finished ... he was er martyred,  
20 this hero. We ask God to accept him, er, and praise  
21 be to God the Lord of the Worlds, I mean, the  
22 brothers are playing their roles, I mean, er, most  
23 importantly is the media aspect, I mean praise be to  
24 God, to do a great job, er, and God willing, the  
25 Lord of the Worlds that things are well. Blessings,



1 God bless you- God bless you Abu-al-Walid  
2 al-Janubi."

3 What happened in Minnesota?

4 A. In and around this time, I believe a Somalian  
5 male had went into a Minnesota mall and using knives  
6 and had attacked patrons there.

7 Q. Was he ultimately killed?

8 A. He was.

9 Q. And Said Rahim is talking about how important  
10 what is as a result of this event?

11 A. The promotion of it really is what he's talking  
12 about. It's even maybe more important than the act  
13 itself.

14 Q. That's what he means when he said, "most  
15 importantly is the media aspect"?

16 A. Yes.

17 Q. And Abo alwaleed aljnobe says in line 9:  
18 Doctor, and may God bless you er and I ask the God,  
19 glorified and sublime be He, to receive him as a  
20 martyr and to reward him ... and to grant him to  
21 give him what he wished for."

22 He continues in line 15: "This is the nature  
23 of the jihadist and fighters for the cause of God.  
24 They accept, they do not seek to please people but  
25 to please the God of people. May God reward him. I

1 ask the God, exalted and sublime be He, to grant him  
2 his reward and to grant him, to make him, to accept  
3 him as a martyr."

4 What is Abo alwaleed aljnobe doing here?

5 A. Asking that those, you know, the individuals in  
6 the Minnesota attack are accepted as martyrs,  
7 accepted by God for this act.

8 Q. And he continues in line 23: "It is the nature  
9 of heros and the nature of those who seek martyrdom  
10 for the cause of God. Martyrdom is not just on the  
11 battlefield but everywhere."

12 Including Minnesota?

13 A. Yes, reinforcing that idea that waging jihad  
14 can be done at home where you are living. You don't  
15 need to be in the State of the Islamic Caliphate.

16 Q. This continues on line 13, and this is still  
17 Abo alwaleed aljnobe speaking: "Of course, yes, I  
18 er, follow up on some things and I find, of course,  
19 that the Media Cadre in this channel er, is an  
20 outstanding cadre by all means and er, of course it  
21 is regarded when it comes to events and what it er,  
22 presents and for er, for this... and is cautious, of  
23 course, er to present things as they happen on this  
24 channel and er, minute by minute."

25 He continues on line 22: "We consider all the

1 brothers in good faith and everyone is according to  
2 what they do on this channel."

3 Is he acknowledging the importance of the media  
4 committees on the ISIS channel?

5 A. He is. To the general public in the room, he's  
6 raising their importance and the role it plays in  
7 inspiring in the room.

8 Q. If we could turn to Government's Exhibit 147;  
9 the corresponding audio is 145.

10 On October 6th, 2016, participants are an  
11 Unknown Male, Said Rahim, khaled-Khateeb and Abo  
12 Alwaleed Aljnobe.

13 Said Rahim starts on line 9: "I have the  
14 floor. My apologies, I don't want to have an  
15 overlap."

16 And then Khaled-Khateeb responds: "As for  
17 Ahmad al-'Iraqi, if he comes on, he talks at times  
18 and at times he does not. He needs to be warned  
19 that at this age, he should be little more energetic  
20 and active. As for al-Zarqawi if he comes on he  
21 does talk, I find him that he does talk and responds  
22 but his interjections are few. He also needs to be  
23 notified to be a bit active."

24 Are they talking about different users here on  
25 the channel?

1 A. Yeah. They are talking about other trusted  
2 users, maybe prominent speakers in the room that  
3 they want to speak more, that they believe have a  
4 great message to give to everyone else on the  
5 channel. They are coordinating that. They are  
6 coordinating the message of the channel.

7 Q. Line 23 continues: "The information I have  
8 indicates th--that his interjections too er, are  
9 few, he has 21 cal, er , 21, er, conversations  
10 during the 6 days covered in the statistics we have  
11 on him. Then he needs to be notified to be more  
12 active."

13 So this committee is keeping statistics on  
14 users in the channel?

15 A. Yeah. The sophisticated coordination between  
16 the admins and moderators of this room. It's not  
17 just something that they do once in a while. This  
18 almost seems like daily task, a job for them.

19 Q. And on page 2, line 6, an unknown male says:  
20 "Okay, brother, do we have permission to talk in  
21 regards to Abu-Mu'awiyah, we will be taking away the  
22 star from him."

23 What, again, is the star?

24 A. A star in this case could be a moderator.

25 Q. "That's what we agreed on regarding

1 Abu-Mu'awiyah. You mentioned the names of those  
2 that you want to take the star away from. So,  
3 brother Angussha, what about Ahmad al-'Iraqi and  
4 al-Dawlawi?"

5 What does that indicate to you? Who is making  
6 the decision to take stars away?

7 A. They are asking questions to Angousha, the  
8 defendant, not in just a normal or regular  
9 participant, but as someone seen in an authoritative  
10 position on this committee.

11 Q. And Said Rahim responds in line 13, page 2:  
12 "They are good but we need to give them ... engage  
13 the gear, just like we do to a car with an almost  
14 dead battery. Meaning, they need a push, they need  
15 a p-push so their performance ... more like to  
16 increase their performance and not improve on it.  
17 Their performance is good, but more like a push to,  
18 at least, meaning hear them participate more often  
19 and contribute more."

20 And Khaled-Khateeb1 says: "Okay then, you will  
21 advise al-Dawlawi since you have him added and you  
22 communicate with him."

23 What is he saying, "you need to push them"?

24 A. He needs to get those users that have a strong  
25 voice on the channel to talk more, to get them more

1 involved, to get their message out you.

2 Q. And Khateeb1 says to Said Rahim: "You will  
3 advise al-Dawlawi since you added him and  
4 communicate with him."

5 What are we talking about "added" again?

6 A. In that context, he probably added him as a  
7 contact, somebody he has regular contact with. So  
8 they may exchange more personal information, whether  
9 that be Telegram accounts, WhatsApp accounts, things  
10 of that nature.

11 Q. And on page 3, line 9, A.J. continues: "Well,  
12 of course Abu-Khattab comes on depending on the  
13 circumstances, but when he comes on, the channel  
14 becomes more active, meaning he energizes the  
15 channel."

16 Khaled-Khateeb1 responds: "He's very weak. I  
17 even tried to contact him privately, to send him  
18 programs, to strengthen his net connection, but he  
19 did not receive it due to the weak net connection."

20 What is he talking about here that it's weak?

21 A. As we talked about with Zello, it's a low  
22 bandwidth application. It means it can be used in  
23 parts of the world that doesn't have great  
24 connectivity, places like Syria and Iraq. So a user  
25 who may have poor connectivity like this is most

1 likely located in Syria and has poor communication  
2 on the channel.

3 Q. If you go to page 4, line 1, A.J. says: "Of  
4 course, the coordination committee contains Angusha,  
5 Musafir, Abu-Qutada and Abu-bara' al Gharib from  
6 whom a star was withdrawn, as well as Layth  
7 al-Tawhid, Abu-Islam and Abu-Hassan al 'Asqalani.  
8 And Angusha is withdrawing from the coordination  
9 committee."

10 Is the A-N-G-U-S-H-A another way of spelling  
11 Angousha?

12 A. It is, yes.

13 Q. And so he's also affiliated with the  
14 coordination committee?

15 A. This particular conversation assumes that, yes.

16 Q. And he's withdrawing himself from that  
17 particular committee.

18 A. According to A.J., yes.

19 Q. We've also seen him affiliated with other  
20 committees?

21 A. Yes. The Dialogue Committee, as well, and the  
22 Media Committee.

23 Q. And that's Said Rahim we're talking about.

24 A. That is the defendant, Said Rahim, yes.

25 Q. And line z A.J. continues obviously the

1 coordination role is a strong one on the channel  
2 because it involves coordinating all of the issues  
3 on the channel; is that correct?

4 A. That is correct.

5 Q. If we could turn to transcript 140.

6 And the date on this is September 19th, 2016,  
7 and the speaker is Said Rahim. And if we can go to  
8 page 2, line 3. And he -- Said Rahim says: " I  
9 mean ... er let this be an opportunity for you where  
10 you may hear a few words, which will mobilize you to  
11 perform Jihad for the cause of God, er ... and you  
12 would be better in the sight of God than I am. Huh  
13 ... you would be better than me in God's sight. Er,  
14 how many of the brothers in this channel are  
15 martyrs, we believe them to be so and God is their  
16 witness... Martyrs, they are martyrs; they were here  
17 and they mobilized to the Caliphate country, and  
18 pledged allegiance to listen to and to obey the  
19 Qurayshi, er, Emir of Believers: Abu Bakr  
20 al-Baghdadi. They pledged allegiance to him and  
21 became the best soldiers to the best state."

22 Who, again, is al-Baghdadi?

23 A. He is the leader of ISIS.

24 Q. And then on page 4, line 21, Said Rahim  
25 continues: "Maybe God has prepared something for



1 you Jihads, something which is awaiting you,  
2 something of which you have not dreamt of. Come on,  
3 get going and descend upon the straying army,  
4 honorable brothers. Attack them; disperse them, for  
5 this is the chance!"

6 When he talks about he's prepared something for  
7 you, something that is waiting, what does he mean?

8 A. That there's a reward for the jihads in  
9 paradise. He has prepared them in paradise and what  
10 that may entail.

11 Q. Now, when you initially started this  
12 investigation, did you do a great deal of research  
13 on trying to locate the defendant and determine his  
14 true identity?

15 A. Yes, lots of research.

16 Q. And I believe you testified earlier that you  
17 had certain user names that you associated with him?

18 A. That's correct, yes.

19 Q. And is that how you began?

20 A. It was.

21 Q. If we could have Government's Exhibit 11.

22 If we could publish it, please.

23 What is this?

24 A. This is a record return from Zello on the  
25 moniker, hola isis.

1 Q. And do you see here the email address  
2 associated with that moniker?

3 A. Yes. The email is angousha@gmail.com.

4 Q. If we could see Government's Exhibit 6.  
5 What is this?

6 A. This is a record return from Google or Gmail  
7 for the email angousha@gmail.com.

8 Q. And what is this name at the top?

9 A. The name listed for the account is Angusha with  
10 a last name of Shsns.

11 Q. Now, what about this phone number? Did this  
12 phone number ever return to anyone that you  
13 associated with this case?

14 A. No. Records return did not attach that phone  
15 number to the defendant.

16 Q. And why, again, is the name Angusha  
17 significant?

18 A. Angusha is a name he used, was referred to on  
19 the channel several times. He called himself  
20 Angusha to Dallas Police Detective Jay Darst at one  
21 time. And during our interview at the airport, we  
22 asked what his business was, and he said, "My  
23 business is Angusha Trading."

24 Q. And what about on the channel? Was the Angusha  
25 recurring name on the channel?

1 A. Yes. Almost everyone on the channel knew him  
2 as Angusha.

3 THE COURT: Ms. Martin, I think it's about  
4 time for our lunch break. We're going to break  
5 until 1:30, Ladies and Gentlemen. Please remember  
6 not to talk about the case. We'll see you at 1:30.

7 (Jury exits courtroom.)

8 THE COURT: Do you have anything for me,  
9 Ms. Martin?

10 MS. MARTIN: Your Honor, just with respect  
11 to Government's Exhibit 310. I would like to also  
12 argue that it's also a coconspirator statement.

13 THE COURT: Yeah, I know it is. I was  
14 ready for you to say that. You think it's a  
15 coconspirator statement. Go ahead.

16 MS. MARTIN: Yes, in furtherance of the  
17 conspiracy. The government has charged the  
18 defendant with conspiring to provide material  
19 support. Part of that is part of this channel  
20 and --

21 THE COURT: What exhibit is that?

22 MS. MARTIN: 310.

23 THE COURT: Okay. Okay. I'm sorry about  
24 this, Class. Good-bye. I hope you enjoyed it.  
25 Bye.

1 All right. Go ahead.

2 MS. MARTIN: We would just move to admit  
3 it based on non-hearsay as a coconspirator  
4 statement.

5 THE COURT: Mr. Whalen?

6 MR. WHALEN: Your Honor, as far as those  
7 exhibits, I don't think they've established who  
8 wrote them.

9 THE COURT: Yeah, they haven't. So I  
10 think you need to ask some more questions along  
11 those lines. Go ahead.

12 MR. WHALEN: And so -- but it also brings  
13 me to the point that the Court needs to at some  
14 point decide whether or not a conspiracy has been  
15 established.

16 THE COURT: A conspiracy has been  
17 established, and I do agree with that. Yes, I do  
18 agree that a conspiracy has been established.

19 MR. WHALEN: And then the second issue is  
20 scheduling. I think the government is going -- it's  
21 going faster than they expected.

22 THE COURT: Yeah, yeah.

23 MR. WHALEN: I don't want to get caught  
24 with witnesses of whether I would need somebody  
25 here.

1 THE COURT: Do you have any witnesses  
2 after him?

3 MS. MARTIN: Just one, and it will be a  
4 short one, Your Honor.

5 THE COURT: Do you have your witnesses  
6 here today?

7 MR. WHALEN: Not yet. Not today. So my  
8 point was if we got finished with some time left in  
9 the day, could we use that time to work on the  
10 charge and then we could have our witnesses here  
11 first thing Friday morning if we chose to bring  
12 somebody.

13 THE COURT: I don't know. I just -- I  
14 would really rather you have a witness here.

15 MR. WHALEN: Okay.

16 THE COURT: All right. All right.  
17 Anything else?

18 MR. WHALEN: No, Your Honor.

19 THE COURT: All right. We will be in  
20 recess.

21 (Recess taken.)

22 THE COURT: Okay. Ladies and Gentlemen,  
23 we're going to continue with the direct examination  
24 of this witness. Go ahead, Ms. Martin.

25 MS. MARTIN: Thank you, Your Honor.

1 Q. (By Ms. Martin) Special Agent Golomb, I  
2 believe when we left off we were talking about the  
3 records for all way isis and Zello; is that correct?

4 A. That's correct.

5 Q. If we could see Government's Exhibit 7.

6 Can you tell what this is?

7 A. These are records from Zello regarding the  
8 all way isis moniker.

9 Q. And can you see here what the email address  
10 associated with that is?

11 A. Yes. Zello provided the email address for that  
12 moniker as omershishani1976@gmail.com.

13 Q. And if we could see Government's Exhibit 8.

14 And again, what is the email address associated  
15 with this account?

16 A. These are also Zello records produced for the  
17 moniker safer-alshahadah and email address of  
18 omershishani1976@gmail.com.

19 Q. Is that the same email address for  
20 all way isis?

21 A. It is.

22 Q. Did you obtain records for the Gmail account  
23 omershishani1976@gmail.com?

24 A. Yes, sir.

25 Q. And Omer Shishani, we have heard it. Can you

1 remind the jury what that name is?

2 A. Yes. The name Omer Shishani is the famous  
3 foreign fighter that left Chechen to go fight with  
4 the Islamic Caliphate Lands and became the military  
5 commander in Syria for ISIS.

6 Q. What about the date 1976, is that relevant?

7 A. 1976 is the year of birth for Said Rahim.

8 Q. Can we see Exhibit 6, please?

9 What are these?

10 A. These are records that Google provided us for  
11 the account omershishani1976@gmail.com.

12 Q. What is the name associated with that account?

13 A. Musleh Hueh.

14 Q. What is the phone number associated with that  
15 account?

16 A. The phone number associated is (214)414-4244.

17 Q. What about that Musleh name? Did that come up  
18 in your investigation?

19 A. Yes. In the database searches of the  
20 defendant, the Musleh name is a family name of the  
21 defendant. His brothers go by that name, as well.

22 Q. Did you try to obtain cell phone records or the  
23 subscriber records for (214)414-4244?

24 A. Yes, I did.

25 Q. And who held those records?

1 A. Cricket Wireless, which is owned by AT&T. So  
2 AT&T ultimately did.

3 Q. If we can see Government's Exhibit 4, page 1.  
4 And who is the subscriber for that phone number?

5 A. Subscriber is defendant, Said Rahim.

6 Q. And then, again, what is the number?

7 A. For the telephone number (214) 414-4244.

8 Q. Do these phone records also reflect the type of  
9 device an individual may be using with a specific  
10 account?

11 A. Yes. As part of the phone records, they  
12 provide the carrier records, the type of device  
13 that's communicating with it, yes.

14 Q. Now, Ms. Hussein testified about the voice ID  
15 of the different monikers affiliated with Said  
16 Rahim. Do you recall that testimony?

17 A. Yes, I do.

18 Q. Did you do additional analysis to corroborate  
19 her voice ID?

20 A. We did initial analysis with the IP addresses  
21 of all of the monikers from both Gmail and Zello.

22 Q. And if we could see Government's Exhibit 7  
23 again. What is contained in Exhibit 7?

24 A. So the records from Zello are kind of  
25 repetitive lines, but you will get date and time,



1 the moniker. And then you will see in quotes,  
2 "Android." That would be not so much the device  
3 used but the software on the device. So for an  
4 Android, you are looking at Samsung, HTC, Sony. If  
5 it says IMS, that's like an Apple, Apple iPhone.  
6 Then there's the version number of the Zello  
7 software, followed by an IP address they used to  
8 connect to Zello.

9 Q. And is this the logs of the all way isis  
10 account that Zello provided to you?

11 A. Yes, it is.

12 Q. Let's go to Exhibit 8. What is this?

13 A. These are the records that Zello provided for  
14 moniker safer-alshahadah.

15 Q. Is this the same thing, IP addresses and phone  
16 software used with that moniker?

17 A. Yes; logs are similar in their display.

18 Q. If we could see Government's Exhibit 9.  
19 What is this?

20 A. These are the records provided by Zello for  
21 moniker Dr. sa7wat. And again, they show the type  
22 of platform, Android software, as well as the IP  
23 addresses he used to log into the Zello account.

24 Q. And how about this email address? What is  
25 that?

1 A. Yes. The email address that Zello provided for  
2 this account was mostafaapple1977@gmail.com.

3 Q. Were you ever able to determine who that email  
4 address belonged to?

5 A. When we requested addresses from Google, they  
6 had no records of that email account.

7 Q. Do you have to have a real email to sign up a  
8 Zello account?

9 A. You do not have to verify your email address,  
10 no.

11 Q. If we could see Government's Exhibit 11,  
12 please.

13 What is this?

14 A. These are the records provided by Zello for the  
15 moniker hola isis, where they show the email  
16 angousha@gmail.com. And again, it shows the IP  
17 addresses that that moniker used to log into the  
18 platform.

19 Q. And again, that name "Angousha" has come up a  
20 lot in this investigation.

21 A. Yes. In the chat room, everyone knew the  
22 defendant by the nickname Angousha.

23 Q. And if we could see Government's Exhibit 12.  
24 Now, these IP logs, we're only showing one page.  
25 Are they actually multi-paged?

1 A. Yes, as many times as you would log into the  
2 application, there are pages and pages and pages, so  
3 hundreds and hundreds of log ins.

4 Q. Were you able to condense that information down  
5 to something more usable than just the hundreds and  
6 hundreds pages of the logs?

7 A. Yeah, similar to what I did with the moderator,  
8 I was able to take these logs and put them in Excel.  
9 So I could sort by IP addresses, date and time and  
10 monikers.

11 Q. If you will look at Government's Exhibit 12.  
12 What is that?

13 A. These are Zello records that they provided in  
14 the moniker angousha@, similar to the other exhibits  
15 where you will see the Android software, the version  
16 of Zello and the IP address that the moniker logged  
17 in.

18 Q. And were you also provided in those Google  
19 records we saw, some IP logs for  
20 omershishani1976@gmail.com?

21 A. Yes, I was.

22 Q. Did you include those in the condensed version  
23 or the summary version that you prepared?

24 A. I do -- in addition, I should say this as well.  
25 On these logs, you will see on the line immediately

1 following each IP there's a long ID, numbers and  
2 letters, like an md5 hash we call it. That's kind  
3 of a proprietary ID that Zello uses to help identify  
4 users.

5 Q. When you prepared this chart that included all  
6 of the defendant's monikers, did you categorize them  
7 by each of the monikers we have heard associated  
8 with the defendant by voice?

9 A. Yes.

10 Q. And does that summary chart that you prepared  
11 accurately reflect all of the logs as you received  
12 them from Zello and from Google?

13 A. Yes, they contain all of the logs.

14 MS. MARTIN: Your Honor, I believe  
15 Government's Exhibit 35 is already in evidence.

16 THE COURT: 35 is in evidence.

17 MS. MARTIN: If we could have Exhibit 35,  
18 please.

19 Q. (By Ms. Martin) Is this the chart that you  
20 prepared?

21 A. Yes, it is.

22 Q. And what do we see here on the far left, left  
23 column?

24 A. On the far left is all the common IPs that came  
25 up during the logs. And when I define "common," I

1 only included IPs that had more than seven to ten  
2 occurrences or log ins.

3 Q. What do we have running across the top?

4 A. Across the top are a list of all of his Zello  
5 monikers followed by the two Gmail email accounts  
6 that he used. And then the last column is a  
7 description of the provider for which that IP  
8 address subscribed to or came back to, registered  
9 to.

10 Q. Let's take a look at this IP address,  
11 70115128170. It's at line 5.

12 A. Yes.

13 Q. Who -- what monikers used that IP address to  
14 log in?

15 A. For that IP address, hola isis,  
16 safer-alshahadah, and trip W amojahed, hola isis, in  
17 addition to the Omer Shishani 1976 email.

18 Q. If we could have Government's Exhibit 5.  
19 What is this?

20 A. These are record returns from Time Warner  
21 Cable.

22 Q. If we could see page 2, please.

23 Do you see that address that we just saw, the  
24 70.115.228.170 on these records?

25 A. Yes. It's the first IP address listed there.

1 Q. And who is that IP address listed to?

2 A. It's listed for a customer called Colorado  
3 Stop, with an address of 640 East Colorado  
4 Boulevard, in Dallas, Texas.

5 Q. Why is that address significant?

6 A. That is the address of the building where the  
7 defendant, Said Rahim, had his business Angousha  
8 Trading.

9 Q. Is this a high-speed internet?

10 A. It's a broadband high-speed internet line.

11 Q. And during this investigation, were you able to  
12 conduct surveillance on the defendant and his  
13 business?

14 A. Yes, we were.

15 Q. What did you observe?

16 A. We would observe about seven days a week, from  
17 around 9:30 a.m. to around 10 p.m., the defendant  
18 was at the business conducting small transactions.  
19 But the majority of that time was spent either  
20 sitting out front or on his phone outside the  
21 business.

22 Q. And when you say "observed," how did you  
23 observe?

24 A. We had both -- some days physical surveillance,  
25 and we also installed a pole camera across from the

1 business so it could be monitored 24/7.

2 Q. And what kind of IP address is this?

3 A. We refer to that as a static IP address.

4 Q. What does that mean?

5 A. There's two kind of IP addresses. If you have  
6 a home DSL and a broadband, when you purchase an  
7 account, they issue you that IP address. It kind of  
8 stays with that account for the entirety of your  
9 account, like your home address.

10 Whereas, we have what we call dynamic IP  
11 address. If you're using your cell phone and  
12 traveling around state to state or city to city, you  
13 are constantly connecting to cell towers, and you're  
14 getting different IP addresses with each connection  
15 based on your location.

16 Q. If we could see Government's Exhibit 58.

17 MS. MARTIN: And I believe that one has  
18 been admitted, Your Honor.

19 Q. (By Ms. Martin) What is this a photo of, Agent  
20 Golomb?

21 A. This is a photo of the 640 East Colorado  
22 building. And in the middle you will see the  
23 Angousha Trading Center little shop that he had.

24 Q. This right here?

25 A. Yes, that right there.

1 Q. If we could have Government's Exhibit 35 again,  
2 please. I want to direct your attention to line 4,  
3 that IP address, 70.121.52.67. Do you see that one?

4 A. Yes, I do.

5 Q. What monikers were affiliated with that IP  
6 address?

7 A. For that IP address, monikers hola isis,  
8 safer-alshahadah, trip W amojahed and the email  
9 omershishani1976 were associated with that address.

10 Q. And if we could again see Government's Exhibit  
11 5, page 2.

12 And do you see that IP address on this exhibit?

13 A. Yes. It is the second IP address that Time  
14 Warner Cable lists, 70.121.52.67.

15 Q. Who is that registered to?

16 A. To an individual named Shahed Musleh at address  
17 3814 Barrington Drive in Richardson, Texas.

18 Q. And where have we seen that Musleh name before?

19 A. It was the name associated with the  
20 omershishani1976 gmail account.

21 Q. Now, were you able to determine whether or not  
22 the defendant lived at 3814 Barrington Drive in  
23 Richardson?

24 A. Yes. We had physical surveillance observing  
25 him returning to that residence daily. We also



1 established a pole camera on the front and the back  
2 of the house.

3 Q. If we could see Government's Exhibit 35 again.

4 Now, if we can take a look at that line number  
5 3, the IP address 76.183.1.8, what accounts were  
6 this IP address associated with or was this?

7 A. It was associated with monikers angousha@ and  
8 Q-O-Q-A-Z-I, qoqazi, as well as Gmail account  
9 angousha@gmail.com.

10 Q. Now, we see that it's the Angousha. When,  
11 during the course of the defendant's use of the  
12 Zello chat room, did he use that angousha@?

13 A. That was the -- outside of QoQazi, the first  
14 moniker he began using in the room around 2014.

15 Q. If we could see Government's Exhibit 12.

16 And do we see those dates here reflected in the  
17 far left?

18 A. Yes. You can see the first date was  
19 October 11th, 2014.

20 Q. And that was the angousha@?

21 A. That would be angousha@, correct.

22 Q. Now, did you analyze the logs for this  
23 angousha@ moniker?

24 A. I did.

25 Q. And was there an IP address that reappeared

1 over and over in these logs?

2 A. Yes, the 76.183.1.8.

3 Q. And what type of phone does this reflect he  
4 used for the angousha@?

5 A. That he used an Android application, which  
6 would suggest that he was using some type of Samsung  
7 or HTC or Sony phone.

8 Q. Can we see the last page, please?

9 What is the date of the last log on with that  
10 moniker?

11 A. That moniker, July 25th, 2015, was the last log  
12 on to the app. And then the last line shows that he  
13 deleted that account on July 25th, 2015, from the IP  
14 address 76.183.1.8.

15 Q. And if we, again, could see Government's  
16 Exhibit 6, page 1.

17 And we've seen these. These are the Google  
18 returns for the angousha@gmail.com address?

19 A. That's correct.

20 Q. Can you tell the IP address used for the terms  
21 of service?

22 A. Yes. When he created that account for terms of  
23 service, the IP address was 76.183.1.8.

24 Q. And then it also had the same name, angousha?

25 A. Angousha, yes, uh-huh.

1 Q. Can you see what date this email address was  
2 created?

3 A. It was created on August 3rd, 2015.

4 Q. And so how long after he deleted the Angousha  
5 account at that same IP address?

6 A. Six or seven days, eight days.

7 Q. If we can see Government's Exhibit 11.

8 And the hola isis account, what email address  
9 was used to create the hola isis account?

10 A. Created the hola isis moniker at  
11 angousha@gmail.com.

12 Q. Okay. And we discussed this ISIS account  
13 earlier. What IP address was it associated with?

14 A. The 70.115.228.170, which was one of the  
15 broadband accounts.

16 Q. At the home and work?

17 A. Yes.

18 Q. Was it actually associated with both of those?

19 A. The account was, but that particular IP address  
20 I believe is to the business.

21 Q. Yes. But the other static IP address was also  
22 associated with hola isis?

23 A. I believe so.

24 Q. Now, if we could see Government's Exhibit 4,  
25 page 205.

1 And if we look on June 5th, 2016, does  
2 something change on June 5th, 2016?

3 A. Yeah. You can see about the third or fourth  
4 entry down he switched communication devices from a  
5 Samsung to a Sony telephone, mobile phone.

6 Q. And what else occurred on that date, June 5th,  
7 2016?

8 If we can have Government's Exhibit 9.

9 A. On that same day was the creation of the  
10 moniker Dr. sa7wat.

11 Q. And then what kind of phone was Dr. sa7wat?

12 A. It was Android software phone, which would have  
13 been a Samsung Sony or HTC phone.

14 Q. What IP address is used to create that account?

15 A. The IP address used to create that account was  
16 128.177.161.166.

17 Q. If you can go back to Government's Exhibit 35,  
18 please.

19 And that IP address, 128.177.161.166, what  
20 other of the monikers is that one associated with?

21 A. Yeah. Other monikers used that same exact IP  
22 to connect to the mobile platform Zello was  
23 angousha@, hola isis and the email omershishani1976.

24 Q. The Dr. sa7wat moniker, did you analyze those  
25 IP records?

1 A. I did.

2 Q. Was there something different about that  
3 moniker from the other monikers?

4 A. Yes. The Dr. sa7wat moniker, the defendant  
5 never connected to the broadband either at the home  
6 or at the business. He kept it solely on cell phone  
7 networks.

8 Q. And that was in October of 2015; is that  
9 correct?

10 A. Correct.

11 Q. What does that indicate to you?

12 A. As we look at these records, as he creates more  
13 and more monikers, we see that in approach of  
14 tradecraft. At first, the monikers were created  
15 with static IPs, which could be traced back to  
16 physical addresses. And then eventually escalates  
17 to a point where you are creating a moniker with not  
18 a valid email account, a new telephone and not  
19 connecting to what we call a static IP. So a lot  
20 more difficult to track.

21 Q. But you did obtain all of the IPs; is that  
22 correct?

23 A. We did obtain all the IPs, yes.

24 Q. And you logged them.

25 A. Yes.

1 Q. When you did that, were you able to see overlap  
2 between Dr. sa7wat and all of these other monikers?

3 A. Yes.

4 Q. With the exception, I believe, of Qoqazi?

5 A. Pardon me?

6 Q. With the exception of the Q-O-Q-A-Z-I?

7 A. That's correct. The addresses used by  
8 Dr. sa7wat were often used by the other monikers  
9 over time. Again, these are just a portion of the  
10 multiple occurrences of it, like seven to ten or  
11 more; sometimes 40, 70, 60 occurrences of it, yes.

12 Q. For example, this 128.177.161.166 was used by  
13 angousha@?

14 A. Yes.

15 Q. And hola isis?

16 A. Yes.

17 Q. And the omershishani1976@gmail?

18 A. That's correct.

19 Q. And that was tied to his residence.

20 A. Yes, the other monikers were tied to the  
21 residence, correct.

22 Q. Now, the changing of the monikers and email  
23 addresses you just testified is a type of  
24 tradecraft. Is that common in the investigations  
25 that you do?

1 A. It's common not only in counterterrorism  
2 investigations but also our criminal investigations,  
3 yes.

4 Q. Why is that?

5 A. Well, as a user becomes more savvy, more aware  
6 of their actions being discovered by law  
7 enforcement, whether on their own or whether they  
8 learn from others, how to protect their identity  
9 online. So they get more creative. They find ways  
10 to hide identities, create fake email accounts and  
11 find ways to work around the system.

12 Q. So that's your experience. But in this case,  
13 did you actually hear audio where members of the  
14 State of the Islamic Caliphate channel are talking  
15 about tradecraft and operational security?

16 A. Yes. There are a number of discussions in the  
17 Zello Islamic State of the Caliphate chat room where  
18 they are talking to each other and talking to the  
19 members about how to work on the tradecraft, how to  
20 make yourself more anonymous online to avoid law  
21 enforcement and the intelligence, as they refer to  
22 it.

23 Q. If we could turn to page -- or, excuse me, tab  
24 188 of the transcripts in your transcript binder.

25 This is May 20th, 2016, and six unknown males;

1 is that correct?

2 A. That is correct.

3 Q. All of these are members of the State of the  
4 Islamic Caliphate channel that we have been  
5 discussing.

6 A. Yes. This is happening in the channel, yes.

7 And on line 22, Unknown Male 2 says:

8 "Brothers, you who are exchanging the numbers, God  
9 bless you, it is not allowed on this channel and at  
10 your own risk -- on your own risk -- on private.  
11 Communicate on the private amongst each other on the  
12 private and at your own risk. Pay attention to this  
13 matter. Communicate amongst each other on ... and  
14 take care of each other. Sufficient unto us is God;  
15 so you will not fall into trouble."

16 Is this what you are talking about, trying to  
17 keep it like anonymous?

18 A. Exactly. They would have discussions on how  
19 to -- the security on the public forums was taken  
20 very seriously to avoid subscribers of the channel  
21 to be known, to be made known to law enforcement.

22 Q. If we could see Government's Exhibit 216. Turn  
23 to Government's Exhibit 216.

24 The date of this is November 11 -- excuse me,  
25 November 3rd, 2016, and the participant is Said



1 Rahim.

2 Line 6 he starts: "No doubt your question is a  
3 smart aleck question; it is a smart aleck question.  
4 Man this is a site where everyone puts their lives  
5 in danger of being imprisoned, or subject to be  
6 arrested or tortured at any time, and here you are  
7 coming to say: Where are you from?"

8 And line 13 says: "Just be a supporter of the  
9 Islamic State, and that's it. This is what we are  
10 here for."

11 He continues in line 18: "This is not my  
12 business. This question does not move anything  
13 backward or forward. This question, where are you  
14 from, this does not help or hurt."

15 What do you understand him to say when he says,  
16 "Do not ask where anyone is from?"

17 A. He is looking out for subscribers on the  
18 channel; more importantly, some of the more  
19 important members of the channels, so their  
20 identities are not known.

21 Q. And does he believe a channel is serious  
22 business based on this statement?

23 A. Yes, he does.

24 Q. If we could see Government's Exhibit 93 -- or  
25 turn to Government's Exhibit 93.

1 Special Agent Golomb, is this one of the audios  
2 and transcripts obtained from the Italian  
3 government?

4 A. I believe that it is, yes.

5 Q. And the date on the transcript is  
6 December 19th, 2016. Participants are Ibn Dawla and  
7 "@" and several other symbols.

8 And Ibn Dawla in line 16 says: "I mean, if you  
9 can change the phone, it will be good. I mean, just  
10 so -- so that you will know yourself that you are  
11 safe, God willing. If you cannot, just take care.  
12 Be careful, you got it? And do not click on any  
13 site which asks for the location or specifying a  
14 location or anything like that."

15 And the @\$3 says in line 26: "Otherwise, the  
16 number is not in my name. But because the guy who  
17 was arrested did have my number -- I mean the  
18 apostates are trying to verify, for example, who has  
19 FaceBook, who has Twitter, they are able to get it.  
20 But if I changed it all, I removed it, got rid of it  
21 and got another number also, WhatsApp, I will be  
22 able to work everything on it."

23 And Ibn Dawla responds in line 6: "Yes, yes,  
24 yes. Get a new number and work normally on it. Do  
25 you understand? But watch out. I mean, be cautious

1 in case he gave up your name or something, or gave  
2 your number so they could be monitoring you and  
3 listening on you and something. Do you understand?"

4 He continues in line 15: "Take this new number  
5 you are getting. Open all the accounts you want.  
6 Then put it in waterproof plastic, small waterproof  
7 plastic that can be closed. And then place it in a  
8 plastic can, you know the plastic cans or half-full  
9 coke bottle and stick the number in it and seal and  
10 it bury it underground. And don't -- don't have it  
11 in your account and not available, not in your own  
12 device and not to be, I mean, too far from you. I  
13 mean, if your device was formatted or such and you  
14 needed it -- I mean to retrieve any confirmation  
15 message or such, confirmation, you go and retrieve  
16 it, knowing where it is."

17 He continues on line 1 of page 3: "In a sealed  
18 place. Do it in a half-liter -- a liter plastic  
19 bottle, then close it. It would be better if you  
20 sucked the air out of it. Suck the air out of it  
21 with your mouth and close it. Bury it underwater.  
22 It does not matter whether it is underground or  
23 underwater. It's important it is hidden someplace."

24 What is Ibn Dawla discussing?

25 A. I think he's describing the extreme measures

1 they take for security concerns on the channel.

2 Q. And Ibn Dawla continues in line 11: "You  
3 should find a country, any country, where they sell  
4 numbers without a -- I mean sold contraband without  
5 a -- I mean a whatchamacallit, a SIM card."

6 Continues in line 17: "If the card for this  
7 number is worth 10 Euro or \$10, whoever sells it  
8 without documentations and without -- I mean your  
9 documentation, that is your identification card or  
10 something, then he will sell it for 15 to 20."

11 What does that mean, if it's a ten-dollar SIM  
12 card someone will sell it for 15 or 20?

13 A. Well, a user or someone could buy a SIM card in  
14 their name, sell it to somebody else. They're going  
15 to sell it for more money, because now that user  
16 buying it doesn't have record of that sale.

17 Q. Continues in line 22: "If you were able to  
18 find it this way, attainable, then buy it, a  
19 smuggled number, to be original but smuggled. It  
20 would be better for you than your own number,  
21 because the number is always linked to the person,  
22 to your identity. Got it?"

23 He continues on page 4, line 1: "You have to  
24 create a lock. And each time you have to leave the  
25 house or the place where you are safe, you should go

1 into the archive, then into the folders,  
2 specifically to a file named 'Telegram' and delete  
3 the document and delete the image, the audio and the  
4 video, delete these four folders. Click continually  
5 on them until you get to the blocks. Select all and  
6 then delete them. Do you understand?"

7 What is Ibn Dawla telling him to do here?

8 A. He's telling him that you have a phone and you  
9 have these apps on them, you want to wipe that  
10 phone. You want to go in there -- don't just delete  
11 the app, get into the files and delete everything  
12 related to that app.

13 Q. It continues in line 9: "And if you have a  
14 program that disconnects the apps from the net, that  
15 would be better, to disconnect from the net so this  
16 way it is not downloading the pictures or such for  
17 you. And in case someone should get into your phone  
18 and into Telegram, he will find it empty at least  
19 this way. As to the lock, you know, there are apps  
20 to create the lock, apps that create a lock to begin  
21 with. You did the lock in the Telegram, the one  
22 available in the Telegram, so that that way you have  
23 two safeguards with different numbers, meaning not  
24 the same secret number. This way it's a bit hard."

25 And then he continues in line 23: "I'm even

1 looking for one myself, because I need it. And I  
2 even work officially on my number, and this is the  
3 problem. The official number is in my brother's  
4 name, and, I mean, my brother does not know these  
5 things."

6 What does he mean by "official number"?

7 A. So the number that he uses to access the Zello  
8 mobile app, he goes to great lengths to make sure  
9 it's not in his name. As the Italian investigator  
10 discussed, he would use the roommate's name to get  
11 these phones or these SIM cards.

12 Q. Now, you testified that you conducted  
13 surveillance on Said Rahim; is that correct?

14 A. That is correct.

15 Q. And you had pole cams up?

16 A. We did.

17 Q. Have you reviewed that pole camera footage?

18 A. I have.

19 Q. It ran for 24 hours a day for most of the year?

20 A. Yes, ma'am.

21 Q. And were you able to establish his routine or  
22 times that he would be away?

23 A. Yes. As I stated earlier, we had him 24/7, and  
24 we could observe his pattern of life, as we call it.  
25 When he would leave the home to travel to the

1 office, the store, and what time he would leave the  
2 store to travel home and how many days a week he  
3 would do that.

4 Q. Would that be consistent with what physical  
5 surveillance was observed?

6 A. Yes.

7 Q. Would that be consistent with his Zello  
8 activity?

9 A. It would. A lot of the times, the Zello would  
10 capture the audio. It would be during -- let's say  
11 for the Dr. sa7wat cell phone at the store, we would  
12 see him at the store on his phone. Sometimes with  
13 the static IPs at night, we might see a different  
14 moniker, speaker on the channel, connected to static  
15 IP at night when he was at home.

16 Q. So your IP address analysis also identified  
17 that as well.

18 A. Yes.

19 Q. Now, was the pole camera footage captured and  
20 stored at the FBI?

21 A. Yes, it was.

22 Q. And was it maintained in FBI's care, custody  
23 and control?

24 A. It was, yes.

25 Q. And were you able to review that?

1 A. I was.

2 Q. And did you create still photos from the pole  
3 camera footage?

4 A. I did.

5 MS. MARTIN: Your Honor, at this time the  
6 government would like to publish Exhibit 63. I  
7 believe it's been preadmitted.

8 THE COURT: It's in.

9 MS. MARTIN: If we could see Government's  
10 Exhibit 63.

11 Q. (By Ms. Martin) Special Agent Golomb, what do  
12 we see here?

13 A. This is a still camera shot from our pole  
14 camera footage that was across from the 640 East  
15 Colorado Boulevard business, Angousha Trading, and  
16 that is the subject sitting down in a chair looking  
17 at his cell phone or using his cell phone.

18 Q. This right here?

19 A. Correct.

20 Q. And that's Said Rahim?

21 A. That is Said Rahim.

22 Q. Next page, please.

23 What is this?

24 A. Again, it's another still shot, a different  
25 time. Again, the subject sitting outside his store



1 on his cell phone.

2 Q. Next page.

3 What do we see here?

4 A. Well, you can see this is a photo from the  
5 store again but at night. And you can see in the  
6 corner there the lit-up screen of the cell phone and  
7 the defendant.

8 Q. Next page, please.

9 What do we see here?

10 A. Something similar, different time stamp, but  
11 the defendant is sitting outside his business on his  
12 telephone.

13 Q. Next page, please.

14 A. Again, another example of a different time of  
15 the subject sitting outside the store on his cell  
16 phone.

17 Q. And that's the cell phone light again?

18 A. That's the cell phone light again, yes.

19 Q. Next page.

20 A. Again, different time stamp. This time the  
21 defendant is standing. You can faintly see the cell  
22 phone light on and, again, using his cell phone,  
23 actively using his cell phone.

24 Q. Is that zoomed in? Is that circle still  
25 correct?

1 A. Yes.

2 Q. Thank you.

3 Special Agent Golomb, also as part of your  
4 investigation, did you go on to the Zello website,  
5 itself, and look at the different profiles?

6 A. I did; the ones remaining, yes.

7 Q. And --

8 MS. MARTIN: One moment, Your Honor.

9 Q. (By Ms. Martin) And when you were going  
10 through these screenshots or looking through these  
11 profile pictures, what were you doing?

12 A. I was on the Zello website trying to see if the  
13 monikers associated with the defendant were still  
14 active.

15 Q. And were you also looking at the profile  
16 pictures of other users of the Zello channel?

17 A. Yes; other moderators and administrators,  
18 correct.

19 Q. Did you also review the profile picture and the  
20 profile page of the owner of the Zello channel?

21 A. Yes, I did.

22 Q. What is the significance of the owner of the  
23 Zello channel?

24 A. So the owner is the creator of the channel. He  
25 controls everything. He controls who is an admin,

1 there's a moderator, the profile picture, whether  
2 the channel can be deleted or not. He controls  
3 basically what content, what message the channel is  
4 sending out to the public.

5 Q. And I believe you testified earlier that he had  
6 some documents on that profile page.

7 A. He did. On his profile page was a direct link  
8 to an archive site.

9 Q. And is that the archive site that was  
10 downloaded by SOS Hauske?

11 A. Yes, it was.

12 Q. Do you still have that exhibit before you?

13 A. I do.

14 Q. Exhibit 310. And that was the downloaded  
15 documents?

16 A. Yes, it was.

17 MS. MARTIN: Your Honor, at this time the  
18 government moves to admit Government's Exhibit 310.

19 THE COURT: Mr. Whalen?

20 MR. WHALEN: Same objections, Your Honor.

21 THE COURT: Make sure I know who in the --  
22 ask him that, please.

23 Q. (By Ms. Martin) What type of documents are  
24 these?

25 A. So the documents are from the -- you know,

1 available to any public user of the channel;  
2 basically were official ISIS media publication  
3 documents describing a variety of things. Whether  
4 it would be how to use and operate Telegram, how to  
5 pledge allegiance in --

6 THE COURT: Who is the author?

7 THE WITNESS: The author was various  
8 official designated ISIS media publications. So  
9 El-wafa, different -- what the State Department  
10 considers to be the official media of ISIS.

11 THE COURT: I think it's hearsay. Tell me  
12 why you think it's coconspirator statements.

13 MS. MARTIN: Your Honor, the defendant is  
14 charged with a conspiracy to commit material  
15 support, and these statements are in furtherance of  
16 the ISIS mission. And the FTO that he is supporting  
17 is ISIS.

18 THE COURT: All right. It's close, but  
19 I'm letting it in. 310 is in. Overrule the  
20 objection.

21 MS. MARTIN: Your Honor, may we publish?

22 THE COURT: Yes.

23 Q. (By Ms. Martin) If we could have page 1,  
24 please.

25 Is this one of the publications that was on the

1 website of the State of the Islamic Caliphate?

2 A. Yes, it was.

3 Q. And does it appear to be a picture of an  
4 explosion?

5 A. It does, and I -- having the translators  
6 translate each of the documents, this one would  
7 translate roughly to --

8 MR. WHALEN: Objection, that's hearsay,  
9 Your Honor.

10 THE COURT: Sustained.

11 Q. (By Ms. Martin) And do we see that it looks  
12 like a car or something has been exploded?

13 A. Yes. You will see a car exploded and what  
14 appears to be soldiers.

15 Q. If we could see page 144, please.

16 Is this another document that was on the State  
17 of the Islamic Caliphate channel profile page?

18 A. Yes.

19 Q. Who is this individual?

20 A. That is Osama bin Laden, the former head of  
21 Al Qaeda.

22 Q. Do you recognize any of the other people in  
23 this?

24 A. I do. The individual at the top is Abu Bakr  
25 al-Baghdadi, leader of ISIS.

1 In addition, you have to his -- down to the  
2 left would be al-'Adnani, the official spokesperson  
3 of ISIS. Two pictures over to the right is a photo  
4 of al-Zarqawi, who was the original leader of what  
5 is now called ISIS.

6 Q. Okay. If we could see page 201.

7 What do we see right here in the middle?

8 A. That is the Islamic State flag.

9 Q. The ISIS flag?

10 A. The ISIS flag, yes.

11 Q. And do these appear to be Christian religious  
12 figures in the bottom?

13 A. Appear to be a monk, priest, and the Pope.

14 Q. And if we could see -- I believe that's it,  
15 thank you.

16 Special Agent Golomb, you explained there were  
17 four iterations of this channel; is that correct?

18 A. That is correct.

19 Q. And each one was created either after it was  
20 shut down or just to move to a different channel.

21 A. Correct.

22 Q. And I believe you testified that the members of  
23 the channel remained consistent.

24 A. They did, yes.

25 Q. If we could see Government's Exhibit 13,

1 please.

2 What is this?

3 A. These are records provided by Zello, which I  
4 believe is a detailed log of the State of the  
5 Islamic Caliphate channel.

6 Q. What date was it created?

7 A. It was created on June 30th, 2014.

8 Q. Is that a significant time period?

9 A. It's shortly after the Islamic State had  
10 declared itself as a Caliphate.

11 Q. And what do we see here in the middle of the  
12 page?

13 A. It says that the channel was disabled on  
14 June 5th, 2016, as violating Zello terms of service  
15 by Zello moderator.

16 Q. And this also was the admins and the  
17 moderators?

18 A. It does.

19 Q. If we could see page 3, please?

20 And what is the moniker we see here?

21 A. The moniker is all way isis.

22 Q. And whose moniker is that?

23 A. That is the defendant's moniker.

24 Q. And this list was the list when the channel was  
25 shut down?

1 A. Correct, yes, a snapshot of when the channel  
2 was shut down.

3 Q. Can we see Government's Exhibit 14?

4 Have you reviewed Government's Exhibit 14?

5 A. I have.

6 Q. How many -- do you recall how many subscribers  
7 were in the first channel?

8 A. I don't, but definitely I believe over 10,000.

9 Q. Can we see page 199?

10 What is that moniker?

11 A. That is moniker Q-O-Q-A-Z-I, Qoqazi.

12 Q. Who is that moniker associated with?

13 A. It was associated with the defendant.

14 Q. If we could see page 586, please?

15 What is that moniker?

16 A. That is the angousha@ Zello moniker for the  
17 defendant.

18 Q. And who is that -- oh, for the defendant.

19 If we could see page 546, please.

20 What is that moniker?

21 A. That is the moniker all way isis.

22 Q. Who is that affiliated with?

23 A. The defendant.

24 Q. Page 825.

25 What is that moniker?



1 A. Hola isis.

2 Q. And whose moniker is that?

3 A. That moniker is also belonging to the  
4 defendant, Said Rahim.

5 Q. Page 226. If we could see page 1273, I'm  
6 sorry.

7 What is that moniker?

8 A. That is the Zello moniker trip W amojahed.

9 Q. If we could have Government's Exhibit 17.  
10 What is this?

11 A. This would be another record from Zello,  
12 possibly a different iteration of the channel,  
13 another detailed log of the channel.

14 Q. If we could see page 2.

15 Who is that?

16 A. That is the Zello moniker, Dr. sa7wat.

17 Q. Whose moniker is that?

18 A. That moniker belongs to the defendant, Said  
19 Rahim.

20 Q. And Government's Exhibit 18.

21 Is this another subscriber log?

22 A. Yes.

23 Q. And if we could see page 12, please.

24 And who is one of the subscribers to this  
25 iteration?

1 A. That is also the moniker Dr. sa7wat.

2 Q. And if we could see Government's Exhibit 21.

3 Page 2, please.

4 If we could see page 3.

5 Do you see the word "Top Users" here?

6 A. I do.

7 Q. Who is one of the top users?

8 A. The moniker safer-alshahadah.

9 Q. And what does a top user mean?

10 A. The way the CTO of Zello explained it is, these  
11 are users who have been up-voted, like for FaceBook  
12 where you can up-vote and give likes. So users that  
13 get a lot of likes with a lot of activity in their  
14 talk.

15 Q. And down here what's another moniker?

16 A. The Dr. sa7wat moniker.

17 Q. And that's also the defendant?

18 A. That is also the defendant, yes.

19 Q. Now, at some point in your investigation, did  
20 defendant, Said Rahim's, behavior change?

21 A. In terms of his talk on the channel or his  
22 tradecraft.

23 Q. Was his activity -- did his activity on the  
24 channel change?

25 A. It did, yes.

1 Q. When did he join the channel?

2 A. He joined the channel in early October 2014,  
3 mid-October 2014.

4 Q. And then when did his activity on the channel  
5 cease?

6 A. When did it -- excuse me.

7 Q. When did his activity on the channel stop?

8 A. It stopped around the end of January of 2017.

9 Q. January, February, of 2017?

10 A. Yes.

11 Q. And did you see any more IP logs after that  
12 time?

13 A. I did not.

14 Q. At some point, did you learn that the  
15 defendant, Said Rahim, had purchased a ticket to  
16 Jordan?

17 A. Yes, we were made aware.

18 Q. And if we could see Government's Exhibit 50.  
19 What is this?

20 A. This is a records request from Luftansa  
21 Airlines showing the defendant, Said Rahim, with an  
22 airline reservation.

23 Q. What was the destination?

24 A. The end destination was Amman, Amman Jordan.

25 Q. And that's the AMM?

1 A. Correct.

2 Q. And where was he connecting through?

3 A. Frankfurt, Germany.

4 Q. And if we could see page 2.

5 What is the phone number associated with this  
6 record?

7 A. The phone number associated is (214)414-4244.

8 Q. And this travel was to occur when?

9 A. On May 5th -- sorry, excuse me. On March 5th,  
10 2017.

11 Q. And when was he to return?

12 A. If I recall, it was sometime around May, a  
13 month or two. I can't remember. Oh, yes,  
14 May 9th -- sorry, May the 9th of 2017.

15 Q. Do you know when he initially booked this  
16 travel?

17 A. I believe maybe two or three weeks in advance,  
18 possibly more.

19 Q. Were you are aware that Mr. Rahim has as  
20 daughter in Jordan?

21 A. I was, yes.

22 Q. What age roughly was she?

23 A. I don't know about the exact age, but I think  
24 in 2017 she would have been around 11 or 12 years  
25 old.

1 Q. Did you know him to have sent her and her  
2 mother money?

3 A. He did. He had sent some Western Union  
4 transactions to Amman, Jordan in the ex-wife's name,  
5 yes.

6 Q. And if he had gone to see her in Jordan, based  
7 on the travel records that Officer Street reviewed  
8 earlier, when would the last time have been that he  
9 went to see her?

10 A. I believe it was 2011.

11 Q. Can we see Government's Exhibit 55?

12 If we could blow that up, please?

13 Are you speaking about his 2011 travel?

14 A. I am. Now that I remember, that might have  
15 been to the Hajj in Saudi Arabia. So it might have  
16 been earlier than that. It might have been 2009,  
17 2010; yes, 2010.

18 Q. Okay. Thank you. Now, if we could see  
19 Government's Exhibit 52, please.

20 What is this?

21 A. This is a map of what we call the Middle East  
22 and zoomed in around Syria, Iraq, Jordan, Turkey.

23 Q. And did Dr. Vidino testify that this map shows  
24 the Levant?

25 A. Yes, he did.

1 Q. And is this the Syrian border with Jordan?

2 A. Yes, that's correct, the Syrian border with  
3 Jordan.

4 Q. What city is that?

5 A. That's Amman, Jordan, where the defendant was  
6 flying to.

7 Q. Do you also see -- what country is right here?

8 A. That is Lebanon.

9 Q. And then down here?

10 A. We consider that the West Bank.

11 Q. Did we hear the defendant reference the West  
12 Bank in some of the audio?

13 A. Yes, we did.

14 Q. So the defendant planned to travel to Amman  
15 through Germany on March 5th, 2017?

16 A. That's correct, yes.

17 Q. What did you do in preparation for that travel?

18 A. We began to determine why he was traveling.  
19 And we had planned to set up an interview at the  
20 airport of the defendant to try to ask him questions  
21 regarding the concerning content we found on Zello.

22 Q. Did you obtain search warrants for his  
23 belongings at the airport?

24 A. We did. In preparation for his flight, we had  
25 some search warrants made for his baggage, yes.

1 Q. What else did you do to prepare for him  
2 traveling to the airport and arriving at the  
3 airport?

4 A. As the date approached, we also had physical  
5 surveillance teams on the ground that began watching  
6 him with the physical presence a couple of days  
7 before the flight left. We had also planned to have  
8 our SWAT tactical team kind of behind the  
9 surveillance team to follow them to the airport as  
10 well.

11 Q. And did you do that on that date?

12 A. Yes, we did.

13 Q. Were those people actually visible to Said  
14 Rahim as he traveled to the airport, though?

15 A. No, they were not. All of our surveillance  
16 teams are plain clothes, plain vehicles. He would  
17 not be made aware of that.

18 Q. I believe you said your plan was to interview  
19 Said Rahim when he went to the airport?

20 A. That's correct.

21 Q. Was Said Rahim ever going to be permitted to  
22 get into a plane to Germany and then to Amman?

23 A. Absolutely not, no.

24 Q. Why not?

25 A. Based on the evidence we had collected to date,

1 we had a concern about the safety of citizens here,  
2 about the safety of individuals over there, about  
3 possibly him mobilizing for jihad.

4 Q. Was he on a no fly list?

5 A. He is.

6 Q. Did you have to do anything to allow him to get  
7 through the TSA checkpoint?

8 A. We did. We had to request that he be given  
9 permission to receive a boarding pass to pass  
10 through security, yes.

11 Q. And was that granted?

12 A. It was.

13 Q. Was it conditioned on FBI doing anything?

14 A. It was conditioned on the fact he would be not  
15 be able to board that plane, yes.

16 Q. And was FBI going to provide surveillance and  
17 protection for that?

18 A. Yes.

19 Q. Did you?

20 A. We did, yes.

21 Q. How did you do that?

22 A. We had surveillance teams outside the airport.  
23 Obviously we had SWAT nearby outside the airport.  
24 Once you passed through security, we had plain  
25 clothes officers in and around the public area, as



1 well.

2 Q. And did you have to do anything to prepare for  
3 the potential interview that you might have with the  
4 defendant?

5 A. We did. We met with our airport liaison a few  
6 days before so that we could put a plan in place to  
7 find somewhere to do the interview so that it could  
8 be recorded.

9 Q. And did you find a suitable room to record the  
10 interview?

11 A. We did, yes.

12 Q. What did you do to prepare the room?

13 A. We made sure that the room was accessible, it  
14 was not locked, didn't have any doors; a place that  
15 we could place video and audio equipment so that it  
16 was quiet enough that we could actually hear what  
17 was going on as opposed to doing it in a public area  
18 where it was very loud and the PA systems going on.  
19 And we just did a walk-through of how we would set  
20 that up.

21 Q. Can you describe for the jury how you would get  
22 to this room where you conducted the interview?

23 A. Yes. So once you pass through security in  
24 Terminal D at the airport -- I believe it was Gate  
25 14. There's usually two gates, you know, side by

1 side to one another. In this instance, if his  
2 flight was boarding on Gate 14, the other gate over  
3 there, Gate 12, was empty. And the glass door that  
4 you pass through as you hand your ticket to the  
5 airline agent and then you walk along the tunnel to  
6 get on the plane, when you pass through that glass  
7 door, if you just took an immediate left, there are  
8 just open storage rooms where they may store baggage  
9 carts, boxes, things of that nature. And that's the  
10 room we were going to use in this case.

11 Q. Did it have a door on it?

12 A. No door.

13 Q. It had a doorway?

14 A. It had a doorway, but no door on the room.

15 Q. Was it a large room?

16 A. It wasn't large, but it wasn't small. It was  
17 maybe 15 by 15 feet.

18 Q. And did you set up those -- the cameras that  
19 you talked earlier?

20 A. We did. We set up a camera, a video recorder,  
21 as well as an audio recorder that could broadcast  
22 out to others who were not in the room.

23 Q. Now, on that date, did you go ahead and set up  
24 at the airport before Rahim's scheduled departure?

25 A. Yes, I did.

1 Q. And were you getting reports of where he was at  
2 different times during the day?

3 A. Yes, we were being updated by the surveillance  
4 teams.

5 Q. At some time did you learn he was headed to the  
6 airport?

7 A. Yes.

8 Q. Who was he with?

9 A. I believe he was being driven that day by two  
10 of his brothers.

11 Q. Where did he go when he arrived at the airport?

12 A. They made their way to the Luftansa ticket  
13 counter.

14 Q. Did he have issues at Luftansa ticket counter?

15 A. As it was being relayed to me -- actually we  
16 were expecting it to move quicker. But he had a  
17 delay, I believe, acquiring his boarding pass to  
18 Luftansa, yes.

19 Q. He had delay in acquiring his boarding pass?

20 A. Yes.

21 Q. Did he get a gate pass to get through security?

22 A. Yes, I believe they issued a gate pass to get  
23 through security.

24 Q. Did Luftansa, at your direction, not give him a  
25 boarding pass?

1 A. No.

2 Q. Did you have any idea that was going to happen?

3 A. No, we did not.

4 Q. Eventually, did he get through security?

5 A. Yes, he did.

6 Q. What happened as he came through the TSA  
7 checkpoint?

8 A. I believe he was secondary screened as part of  
9 TSA's process. And during that secondary screening,  
10 TSA had taken his electronic devices, for which they  
11 do to anyone who gets secondaried and began talking  
12 to him. And at that time, my co-case agent, Special  
13 Agent Dan Glick of the Department of State, Secret  
14 Service, approached Mr. Rahim.

15 Q. And what did you do when you approached  
16 Mr. Rahim?

17 A. I believe Dan introduced himself and asked if  
18 he had trouble getting on the flight. There had  
19 been possible problems with that itinerary. He had  
20 an AI flight manifest with him, and he asked if he  
21 could see his gate pass.

22 Q. And did you offer to help him get it cleared  
23 up?

24 A. I believe the first time Special Agent Glick  
25 asked him if he would be willing to answer some

1 voluntary questions that we could maybe look into  
2 the issue with Luftansa.

3 Q. But you led him to believe that maybe you could  
4 clear up whatever issues he had.

5 A. Yes.

6 Q. And were you ever going to actually clear up  
7 his issues to get on a flight?

8 A. No, ma'am.

9 Q. Did he agree to answer your questions  
10 voluntarily?

11 A. He did.

12 Q. And how did he get from TSA to the gate?

13 A. Following him finishing up with TSA, TSA  
14 provided him back his baggage, his passport, his  
15 keys, his wallet, his travel documents. We then  
16 walked with him. The gate was only maybe 100 to  
17 200 feet away. And we just walked with him, just  
18 talked with him and understood his frustration with  
19 not being able to get a boarding pass. Again, asked  
20 him if he would be willing -- since the flight  
21 wasn't boarding yet, if he would be willing to  
22 answer some voluntary questions at this time.

23 Q. Did you put him in handcuffs and escort him?

24 A. Absolutely not, no.

25 Q. Did you take him by the arm?

1 A. No, ma'am. We did not touch him at all.

2 Q. Did you have a gun showing?

3 A. No. I was wearing a suit similar to this.

4 Q. And he voluntarily agreed to talk to you?

5 A. Yes, he did.

6 Q. Did you ask TSA to pull him for a secondary  
7 search?

8 A. No, we did not.

9 Q. That was a TSA decision?

10 A. Their policy.

11 Q. Once you got to the gate, what happened?

12 A. Once we got to the gate, like I said, he agreed  
13 to speak with us voluntarily. I think at that point  
14 we looked over at the other airport agent that was  
15 assisting and said, "Hey, is there a room we can  
16 use?" And he allowed us into the back that we could  
17 use the room we purposely set up.

18 Q. Was the entire interview audio and video  
19 recorded?

20 A. Yes, it was.

21 MS. MARTIN: One moment, Your Honor.

22 May I approach, Your Honor?

23 THE COURT: Yes.

24 Q. (By Ms. Martin) What is this, Special Agent  
25 Golomb?

1 A. This is Government's Exhibit 64. I believe it  
2 to be the video of the interview we conducted of  
3 Said Rahim at the airport.

4 Q. And have you watched the video?

5 A. I have, several times.

6 Q. And does it accurately depict what occurred on  
7 that date?

8 A. Yes, it does.

9 Q. And have any changes or alterations been made  
10 to the video?

11 A. No, it hasn't.

12 MS. MARTIN: Your Honor, may we publish  
13 Government's Exhibit 64?

14 THE COURT: It's not in evidence yet.

15 MS. MARTIN: I'm sorry, Your Honor. We  
16 move to admit Government's Exhibit 64.

17 THE COURT: Mr. Whalen?

18 MR. WHALEN: Your Honor, we would renew  
19 our previous objections, which the Court has already  
20 ruled on.

21 THE COURT: Yes, I have already ruled on  
22 them. Any other objections?

23 MR. WHALEN: No.

24 THE COURT: Noting those objections and  
25 overruling them; admit 64.

1 (Video Played.)

2 MS. MARTIN: If we can pause it.

3 Q. (By Ms. Martin) Special Agent Golomb, who is  
4 on the screen right now?

5 A. To the left is myself. And in the center of  
6 the screen is the defendant here in the courtroom,  
7 Said Rahim. And to the right is my co-case agent,  
8 Special Agent Daniel Glick.

9 (Video Continued.)

10 Q. (By Ms. Martin) Special Agent Golomb, who did  
11 Said Rahim say his employer was?

12 A. Angousha Trading.

13 (Video Continued.)

14 Q. (By Ms. Martin) Special Agent Golomb, what are  
15 you telling the defendant, Said Rahim, right there?

16 A. I was trying to instruct him that, you know, I  
17 work for the FBI, my co-case person worked for the  
18 Department of State, and we are federal officers,  
19 and by not telling the truth and lying is a federal  
20 offense.

21 Q. And did you tell him what role you had with the  
22 FBI as well?

23 A. Well, myself and Dan told him we worked for the  
24 Joint Terrorism Task Force.

25 (Video Continued.)



1 Q. (By Ms. Martin) Special Agent Golomb, what did  
2 you ask the defendant?

3 A. I asked him if he's ever had discussions with  
4 anyone else about traveling for jihad.

5 Q. And in the transcript binder, if we could go to  
6 transcript 52. What did the defendant respond?

7 A. He said, "No, never."

8 Q. Exhibit 52. I'm sorry, 152, I apologize.  
9 Transcript 152.

10 On page 2, line 15, Said Rahim says: "This is  
11 the pathway, so brothers where are the men! Where  
12 are the men! Where are those who gave Almighty God  
13 the pledge of death! Where are the ones that will  
14 respond to the one calling for jihad. Come to  
15 jihad. Where are you men? Where are you? Days and  
16 years keep passing and time is running out quicker  
17 than lightning. Jihad has been there for many, many  
18 years, some mobilized and some stayed behind.  
19 Brothers are trying, and we perceive you to be from  
20 those who try to mobilize to jihad for the cause of  
21 God glorified and exalted be He."

22 And if you will look at transcript number 162,  
23 line 21 of page 2, Said Rahim says: "For a person  
24 to be with the truth and defend it with the tongue  
25 until God enables him to mobilize and perform jihad

1 with his tongue, with his sword and his weapon and  
2 his machine gun, as our brother Gharib al-Diyar  
3 did."

4 And he continues on 28: "Yes, this is the one  
5 who was among us and with us on this channel, but he  
6 mobilized. He mobilized to the Caliphate lands. He  
7 is sharp tongued with forceful statement and  
8 argument, and also now he is on the battlefields."

9 Is he discussing this with anyone?

10 A. He's discussing this with the many thousands of  
11 members on the channel.

12 Q. And on page 3, line 10 --

13 THE COURT: Just give them a little bit of  
14 time to get to it. Page 310.

15 MS. MARTIN: Page 3, line 10.

16 THE COURT: Okay. Go ahead.

17 Q. (By Ms. Martin) Said Rahim says: "And many  
18 brothers, by God for real er, who were on this  
19 channel, mobilized. So praise be to God. Do not  
20 underestimate this forum and in this channel -- in  
21 this channel. Do not underestimate."

22 Special Agent Golomb, when you asked Said  
23 Rahim, "Have you ever discussed with anyone travel  
24 for the purpose of jihad," was that true -- and he  
25 responded "No," was that true?

1 A. No, it was not.

2 Q. And how do you know it was not true?

3 A. Because this is just a few of several examples  
4 of him discussing with members on the open channel  
5 about traveling for jihad.

6 Q. And whether a subject of an investigation had  
7 discussed travel for the purpose of jihad with  
8 anyone, would that be material to the FBI?

9 MR. WHALEN: Objection, calls for a legal  
10 conclusion, Your Honor.

11 THE COURT: Overruled. It's okay.

12 A. Yes, it would be.

13 THE COURT: The jury has a right to decide  
14 whether or not it's material. But he can say it.

15 (Video Continued.)

16 Q. (By Ms. Martin) Special Agent Golomb, what did  
17 you just ask the defendant, Said Rahim?

18 A. I asked him if he was ever a supporter of the  
19 foreign terrorist organizations.

20 Q. Specifically did you ask him if he was a  
21 supporter of the Islamic State, ISIS, ISIL or Daesh?

22 A. Yes, I did.

23 Q. What did Said Rahim respond?

24 A. He said he was not.

25 Q. If we could go in our transcript binders to

1 transcript 206.

2 And this was on December 31st, 2016, and the  
3 speaker is Said Rahim. And he says in line 6:  
4 "Yeah, as for the site er, I mean I will give you  
5 the name; I will give you the site. I am not sure if  
6 it is in English er, Duncanville Center, er, let me  
7 see Duncanville Islamic Center. I will send you the  
8 picture of how to access it exactly, send -- send  
9 all the pictures -- all the pictures of all our  
10 brothers who were martyred and burned. Er, you can  
11 send the link of burning the soldier; you can send  
12 everything you have."

13 Then he continues in line 17: " I do not want  
14 it to look that ... I do not want it to look as if  
15 it is from me, but from someone, someone on the  
16 outside. Because I mean they know it here, they know  
17 my orientation is known as a supporter of the  
18 Islamic State. I mean they know it; I mean I always  
19 defend ... Even once after the sermon I said; 'You  
20 defend him.'"

21 When he said he was not a supporter of the  
22 Islamic State, ISIS, ISIL or Daesh, was that true?

23 A. No, it was not.

24 Q. How do you know?

25 A. This is just one example. But there are many

1 transcripts that show he is a staunch supporter of  
2 the Islamic State and is in communication with other  
3 staunch supporters of the Islamic State and has  
4 knowledge of them.

5 Q. And is it important to the FBI to know whether  
6 someone is a supporter of ISIL or the Islamic State  
7 in a terrorism investigation?

8 A. Yes, it is.

9 (Video Continued.)

10 Q. (By Ms. Martin) Special Agent Golomb, what did  
11 Special Agent Glick just ask the defendant?

12 A. He asked the defendant if he has ever promoted  
13 violence on behalf of ISIS.

14 Q. What did the defendant say?

15 A. He said no.

16 Q. If we could look at Transcript Number 190.

17 This is on December 16, 2016, and the  
18 participants are Rami Rahl and Said Rahim. And in  
19 line 10, Said Rahim says: "We do not look at your  
20 age, may God bless you, whether you are eight years  
21 old so . . . or four years or ten years; it does not  
22 matter, rather what your creed down deep in your  
23 heart is, the creed of al-Wala' wal-Bara'. Meaning,  
24 may God bless you, you can now, I mean according to  
25 the area, to attack, I mean, as the Emirs of the

1 Islamic State and the official spokesman of the  
2 Islamic State said, 'Be a lone wolf,' if you are  
3 able to do something in Turkey so I mean attack the  
4 infidels and the apostates the Turks, the Turkish  
5 police; if you are able to kill them then do so, if  
6 you can burn their businesses or burn er, their  
7 homes, I mean the government officials and police  
8 cars ... to kill police individuals. If you can do  
9 that then do it. If you cannot, then immigrate to  
10 the Islamic State, immigrate to the Islamic State  
11 and train there."

12 What is Said Rahim doing there?

13 A. In that particular transcript, not only is he  
14 promoting violence, but he is ordering others on the  
15 channel to go out and commit acts of violence.

16 Q. And were there other examples of him promoting  
17 acts of violence on behalf of the Islamic State?

18 A. Yes, many more.

19 Q. And so when he answered "no" to your question,  
20 "Have you ever promoted violence on behalf of the  
21 Islamic State, ISIS, ISIL or Daesh," and he answered  
22 "No," was that true?

23 A. Absolutely not.

24 Q. Is it important to you as a counterterrorism  
25 FBI agent to know whether someone has promoted

1 violence on behalf of ISIS?

2 A. Yes, it's very important.

3 (Video Played.)

4 Q. (By Ms. Martin) Special Agent Golomb, what did  
5 you just ask the defendant, Said Rahim?

6 A. Special Agent Glick asked him if he knew anyone  
7 that promoted an act of terrorism or if he, himself,  
8 has ever promoted an act of terrorism.

9 Q. And if we can go to the transcript at  
10 Government's Exhibit 148.

11 If we look at the bottom of page 1, Said Rahim  
12 says, line 26: "I mean let him grab the mic and  
13 talk, I mean. Talk, this is your opportunity to  
14 defend the Caliphate State with your words, until  
15 God facilitates for you to go and defend the  
16 religion of God with your teeth nails, explosive  
17 belt, weapon and machinegun, er for the cause of God  
18 and maybe God will accept these limbs er, purely  
19 seeking with it er, God glorified and exalted be  
20 He."

21 Do you believe that to be promoting an act of  
22 terrorism?

23 A. Yes, I do.

24 Q. So when Said Rahim responded: "No, no, I've  
25 been coming here since 1995. I'm clean," to your

1 question, "Have you ever promoted an act of  
2 terrorism," was that true?

3 A. Absolutely not.

4 Q. How do you know?

5 A. This is just one example in this transcript.  
6 But the defendant constantly promotes; he, in fact,  
7 orders others to go out and commit terrorist and  
8 other acts of violence.

9 Q. And whether or not someone is promoting acts of  
10 terrorism, is that important to you as an FBI agent  
11 investigating counterterrorism offenses?

12 A. It is. If you are promoting, if you are  
13 commanding others to attack, you will know who those  
14 individuals are and have access to those  
15 individuals, and that would be of great benefit to  
16 us to know that.

17 (Video continued.)

18 Q. (By Ms. Martin) Special Agent Golomb, you  
19 discussed three terrorism attacks claimed by ISIS by  
20 the defendant at this point; is that correct?

21 A. Yes, we did.

22 Q. Now, have you asked him specifically if he's  
23 praised each of those attacks?

24 A. Yes, we did.

25 Q. Did you also ask him generally, "Have you ever



1 praised an act of terrorism?"

2 A. Yes, we did.

3 Q. And what did the defendant respond?

4 A. He responded that he did not to all those  
5 questions.

6 Q. And was that true?

7 A. No, it was not.

8 Q. If we could go to transcript 178.

9 THE COURT: Page?

10 Q. (By Ms. Martin) Page 1. Date is June 13,  
11 2016. The speaker is Said Rahim.

12 And in line 18, Said Rahim says: "Their news  
13 states that an attack in the state of ... in Orlando  
14 Florida State. The city of Orlando is a touristic  
15 city, er, the news state that an attack led to  
16 killing 50 Americans. This is the initial news; I  
17 mean, God willing. We will follow up the news, and  
18 pass it on to you as it comes. Er, I mean, you  
19 remember what al-'Adnani said, may God protect him.  
20 God is Great. I mean, just yesterday I was talking  
21 to a few guys, who do not-not-not support the  
22 Caliphate State and they do not like it. I was  
23 telling them that I mean, this is a methodology that  
24 you must learn in the beginning. Of course, I was  
25 discussing with them, and they are near to me, I

1 mean I know these guys. They were er, not  
2 convinced, they just said: 'This will happen now  
3 here and there, and such and such incidents will  
4 take place in America, and so on.' And I mean, I  
5 said: 'Everything is on the table.'"

6 And continues on page 2, line 18: "Glory  
7 be to God, this is the lion and these are the lions  
8 those ... Glory be to God. This city, I mean, it  
9 brings America, I mean, a bunch of money, and it is  
10 a tourist city, and it is all tourism. It has the  
11 city of Orlando, an entertainment city, er this  
12 city, I mean it is a strong vein this city er, so  
13 glory be to God. We have to follow up on the  
14 consequences of this subject."

15 And then on page 3, line 16, he continues:  
16 "But we rejoice for this attack which took place in  
17 America, in Orlando, glory be to Almighty God, glory  
18 be to Almighty God. I swear by God, this attack  
19 shook them violently. Pictures of the attacker are  
20 here. There is the picture of the guy who did it.  
21 Glory be to Almighty God, bless be to Almighty God.  
22 Now starts the outreach activity at all the mosques,  
23 especially in America, to publicize, to publicize  
24 this operation, heh, oh boy, yet praise be to God,  
25 praise be to God the Lord of the two Worlds, and

1 praise be to God the Lord of the two Worlds. He is  
2 a lion, a lion, we do not know his fate, was he  
3 arrested, or martyred or ... Praise be to God they  
4 began to hurt because of this operation; they began  
5 hurting. They began crying, praise be to God,  
6 praise be to God, the Lord of the two Worlds. I mean  
7 er, this is a message we send to the agents of the  
8 Intelligence at the FBI and CIA I mean to tell their  
9 bosses: Enough America, stop and remove your  
10 tarnished h-hands from Muslims; enough, pull back  
11 and do not interfere. I mean, this way you will  
12 live securely for-for a while, you will be secure  
13 for a time, whereas this way, by God, you expose  
14 yourselves I mean, to danger. I mean, you kill and  
15 you do not want to be killed? I mean look, they  
16 kill, I mean even those who are crying, those  
17 mercenaries, ap-apostates, and hypocrites who cry  
18 over those and say: 'You killed the innocent, the  
19 innocent.'"

20 And he continues on line 26: "You see how it  
21 is, you see how they become? But to America now, I  
22 mean: As you kill, you will be killed, the equation  
23 changed now. Now, now er ... in the past, it was  
24 yes they killed us, tread on us, and no one did  
25 anything. I mean ... but praise be to God the Lord

1 of the two Worlds, now things changed by the grace  
2 of God glorified and exalted be He."

3 Was Said Rahim talking about the attack on the  
4 Pulse Nightclub in Orlando, Florida?

5 A. Yes, he was.

6 Q. Were many people murdered in that nightclub by  
7 be an ISIS-affiliated individual?

8 A. Yes; I think around 44.

9 Q. Were others injured?

10 A. Yes; many more.

11 Q. Does he continuously praise that attack?

12 A. He does, and uses it in saying this a change,  
13 we are going to start killing you now.

14 Q. If we look at Government's Exhibit 166. The  
15 date on this is January 2nd, 2017.

16 Said Rahim is the speaker. And he says on page  
17 1, line 27: "In continuation of the blessed  
18 operations waged by the Islamic State against the  
19 protector of the cross, Turkey, one of the Caliphate  
20 hero soldiers demolished one of the most famous  
21 nightclubs where Christians hold their polytheistic  
22 celebrations. He attacked them with hand grenades  
23 and his machine gun, exchanging their joys for  
24 sorrows, reaping a hundred fifty people dead and  
25 wounded, in revenge for Almighty God's religion, and

1 at the behest of the true believers Emir, to target  
2 the protector and servant of the cross: Turkey."

3 Page 3, line 15, Said Rahim continues: "God is  
4 Great, God is Great, God is Great, God is Great, God  
5 is Great. As we said, this is a statement, I mean,  
6 I read it from one of the sites that support, one of  
7 the well-known sites er, for its support of the  
8 Islamic State."

9 What is Said Rahim doing in this audio?

10 A. In this audio, he's using the terrorist attack  
11 in Turkey, in his own words, to incite the channel,  
12 what these attacks can accomplish and what you on  
13 the channel should live up to.

14 Q. And so when you asked Said Rahim whether he had  
15 ever praised an act of terrorism and he said "no,"  
16 was that true?

17 A. Absolutely not.

18 Q. If we can have Government's Exhibit 182, the  
19 synced version, please.

20 (Video Played.)

21 Q. (By Ms. Martin) What is Said Rahim doing  
22 there, Special Agent Golomb?

23 A. He is praising the attacks that happened in  
24 France and then mocking the French for what has  
25 happened to them.

1 Q. Is he laughing?

2 A. He's laughing, yes.

3 Q. And if we go to the actual transcript at 182,  
4 Said Rahim is the speaker on July 15th, 2016.

5 At line 16, Said Rahim says: "Hollande --" who  
6 is Hollande?

7 A. Hollande is the president in France.

8 Q. "75 of your people were wasted like dogs and  
9 like animals, when you were the president. They  
10 died and were killed. Good riddance. Think about  
11 your people man, think about your people and leave  
12 the Muslims alone."

13 And then it continues on line 24: "Yes, it is  
14 an operation. I mean, I read on some of the sites  
15 that the Caliphate State claimed responsibility and  
16 that it carried it out. That it carried it out."

17 Is he continuing to praise this attack on  
18 France?

19 A. He is, and making sure they know it was claimed  
20 by ISIS, one of their victories.

21 Q. So when he responded "no" to your question, "Do  
22 you ever -- have you ever praised an act of  
23 terrorism," was that true?

24 A. Absolutely not.

25 Q. And whether or not an individual praises acts

1 of terrorism committed in the United States and  
2 abroad, is that important to you in investigating  
3 people for terrorism?

4 A. It is. It speaks to their knowledge of others  
5 in that room for supporting these acts or maybe  
6 carrying out these attacks and information that  
7 could lead to preventing those attacks.

8 THE COURT: Ms. Martin, we are going to  
9 take our break. We are going to take a 15-minute  
10 afternoon break. Please remember not to talk about  
11 the case. Talk about anything else. See you in 15.

12 (Jury exits courtroom.)

13 THE COURT: Mr. Whalen, I don't think you  
14 need to have your witness here. You don't need to  
15 have your witness here. I didn't know she was going  
16 to be this long. And I suppose you have cross and a  
17 first witness -- another witness that they have. So  
18 even if we finish at 4:30, which I don't think we  
19 will, we're not going to do it. So we will do it  
20 tomorrow morning.

21 MR. WHALEN: Fair enough.

22 THE COURT: Anything else?

23 MS. MARTIN: No, Your Honor.

24 THE COURT: All right.

25 (Recess taken.)

1 THE COURT: Let's continue with the direct  
2 examination of the agent.

3 MS. MARTIN: Go ahead and keep playing.

4 (Video Continued.)

5 Q. (By Ms. Martin) Special Agent Golomb, when you  
6 asked, "Okay. Have you, yourself, ever encouraged  
7 anyone to follow the guidance of Abu Muhammad  
8 al-'Adnani, including his instruction to kill  
9 infidels without consultation or permission," what  
10 did Said Rahim say?

11 A. He said no.

12 Q. If we could turn to transcript 166, page 7,  
13 line 10.

14 And this was, again, on January 2nd, 2017. And  
15 the speaker is Said Rahim. And in line 10, Said  
16 Rahim says: "That is it, as al-'Adnani said; 'Kill  
17 them and do not ask for anyone's fatwa. Kill them  
18 and do not seek a fatwa from anyone.' This one  
19 killed them. He killed them, spilled their filthy  
20 blood, and offered his soul. I do not know, I mean  
21 we ask God to accept him if he was martyred.  
22 Brothers, those ... the caliphate's edifices were  
23 erected with these men's blood and with their acts,  
24 that is if they are not d-dead but martyred."

25 Is that consistent with al-'Adnani's fatwa to



1 kill?

2 A. It is. It exactly quotes al-'Adnani.

3 Q. So when Said Rahim said he had never encouraged  
4 anyone to follow those instructions, was that true?

5 A. No.

6 Q. As a counterterrorism agent with the FBI, would  
7 it be important for you to know if a subject was  
8 giving al-'Adnani's instructions to others to kill  
9 wherever you are?

10 A. Yes, it would. Because we would believe that  
11 when giving those instructions to kill, it means to  
12 do it immediately, to do it once that conversation  
13 is over.

14 Q. Special Agent Golomb --

15 MS. MARTIN: May I approach the witness,  
16 Your Honor?

17 THE COURT: Yes.

18 Q. (By Ms. Martin) -- I believe you testified  
19 that you have watched the video of that interview  
20 several times.

21 A. I have, yes.

22 Q. And we haven't played the entire video today;  
23 is that correct?

24 A. That's correct.

25 Q. But you've watched the entire video?

1 A. I have.

2 Q. And was a transcript of that video prepared?

3 A. It was.

4 Q. And have you read the transcript?

5 A. Yes, I have.

6 Q. Have you read the transcript along with the  
7 video to compare it to see whether it's accurate?

8 A. Yes, I have.

9 Q. And is it accurate?

10 A. It is accurate.

11 Q. And it fairly and accurately depicts what is  
12 being said on the video while the video is playing?

13 A. Yes, it does.

14 MS. MARTIN: Your Honor, at this time the  
15 government moves to admit Government's Exhibit 65,  
16 the transcript of Government's Exhibits --

17 THE COURT: Any objection?

18 MR. WHALEN: No objection.

19 THE COURT: Government's --

20 MR. WHALEN: Sorry. Hold on. Sorry,  
21 Judge. We have no objection to the translation of  
22 the transcript, but we would renew our objection to  
23 the words on the transcript on how they were  
24 obtained based on our previous objection.

25 THE COURT: Overruled and admitted.

1 Government's 65.

2 Q. (By Ms. Martin) Special Agent Golomb, at the  
3 conclusion of this interview with Said Rahim, had  
4 you determined whether or not he had committed a  
5 federal crime?

6 A. Yes.

7 Q. And what was your determination?

8 A. That he had lied to federal agents and  
9 committed multiple violations of Code 18, 1001,  
10 making false statements.

11 Q. Were you going to allow him to board his  
12 Luftansa flight?

13 A. Absolutely not, no.

14 Q. Whether or not he told you the truth?

15 A. Whether or not he told us the truth, he was not  
16 going to board that flight, no.

17 Q. At the conclusion of the interview, did you  
18 tell him he wasn't going to make his flight?

19 A. The interview had been delayed fortuitously,  
20 and as the interview ended, the flight was about to  
21 depart.

22 Q. Did you arrest him immediately after the  
23 interview ended?

24 A. No.

25 Q. Why didn't you?

1 A. Although he made false statements and we did  
2 have probable cause, it's a little more complicated  
3 than that. 1001 charges are very serious. We don't  
4 just walk around arresting people who lie to us.  
5 Especially in counter-terrorism investigations,  
6 there is an approval process that we have to go  
7 through to effect that kind of authority.

8 Q. So while you were finishing your interview, was  
9 somebody with the FBI trying to obtain that  
10 approval?

11 A. They were. As I described earlier, we had also  
12 the audio recording being broadcast to other  
13 individuals placed throughout the airport.

14 Q. And at some time did you learn that authority  
15 had been granted?

16 A. I did. It took a while. I think my  
17 supervisor, who was listening to the conversation,  
18 had to relay those conversations to the U.S.  
19 Attorney's Office, to FBI headquarters  
20 Counter-Terrorism Division, to DOJ National Security  
21 Division in order to get approval for that arrest,  
22 and that took some time. So the interview ended,  
23 and we gave him everything back and told him that  
24 the flight had departed and if he would like to  
25 rebook, he would have to go to the Luftansa counter.

1 Q. And did you escort him to the non-secure area  
2 that --

3 A. No. We just walked with him back to the TSA  
4 checkpoint and allowed him to leave.

5 Q. Once you were able to arrest him, got authority  
6 to arrest him, did you arrest him?

7 A. We did. I was walking back to the interview to  
8 collect my things, at which point my supervisor  
9 informed me that we indeed had approval from the DOJ  
10 to arrest, and so we went out to find him.

11 Q. Did you find him?

12 A. We did find him, yes.

13 He had all his bags, and he was looking to exit  
14 the airport in the vestibule section where the two  
15 glass doors are, kind of the space to keep the cold  
16 air out.

17 Q. Did you place him under arrest?

18 A. We did.

19 Q. And did you take him to the Lew Sterrett County  
20 Jail?

21 A. Yeah. Following the arrest, we transported him  
22 to Lew Sterrett County Jail.

23 Q. And at that point did you take his belongings?

24 A. I did, yes.

25 MS. MARTIN: Your Honor, may I approach?

1 THE COURT: Yes.

2 MS. MARTIN: Your Honor, I believe all  
3 these exhibits are preadmitted. I will call them  
4 out.

5 THE COURT: Okay.

6 MS. MARTIN: Exhibit 49, 57, 54, 68, 69,  
7 46 and 48.

8 THE COURT: Yes, they are all in.

9 MS. MARTIN: Thank you.

10 Q. (By Ms. Martin) Special Agent Golomb, what  
11 did -- what did Said Rahim have on him?

12 A. He had all of his belongings that he arrived at  
13 the airport with. He had his checked luggage, his  
14 carry-on luggage, his iPhone, wallet, passport,  
15 birth certificate, gate pass, all those things.

16 Q. If you will take a look at Government's Exhibit  
17 49.

18 A. Yes.

19 Q. And what is that?

20 A. This is an amount of money that we seized at  
21 the time of his arrest, to be about -- I think it  
22 was around 5,900, close to \$6,000.

23 Q. Could you open that, please?

24 MS. MARTIN: May I approach again?

25 THE COURT: Yes.

1 A. Okay.

2 Q. (By Ms. Martin) And so if you could show the  
3 jury what you collected from Said Rahim.

4 A. These are the hundred-dollar bills, about  
5 48 hundred-dollar bills; another four 50-dollar  
6 bills; approximately 40 20-dollar bills; seven  
7 10-dollar bills; nine 5-dollar bills; and  
8 approximately 64 one-dollar bills.

9 Q. And that was all on his person?

10 A. It was, yes.

11 Q. If you could take a look at Government's  
12 Exhibit 57, if we could publish that, please.

13 What is this?

14 A. This is the defendant's driver's license.

15 Q. And this was also on him at the time of the  
16 arrest?

17 A. It was, yes.

18 Q. If we could see Government's Exhibit 54,  
19 page 3.

20 And was this the passport he had on him at his  
21 arrest?

22 A. Yes, it was.

23 Q. And if we could see Government's Exhibit 68.

24 What is this?

25 A. This is the Luftansa gate pass that was issued

1 to the defendant.

2 Q. Is this what would allow him to get through the  
3 TSA checkpoint?

4 A. Yes.

5 Q. If we could see Government's Exhibit 69.

6 A. Yes. It was the defendant's certificate of  
7 birth from New Jersey.

8 Q. And this was also on him when you arrested him?

9 A. Yes, it was.

10 Q. And then Government's Exhibit 46, what is that?

11 A. It is the Apple iPhone that was in his  
12 possession at that time.

13 Q. And when you -- you heard Ms. Dove testify  
14 earlier about the extraction she performed on the  
15 iPhone; is that correct?

16 A. That's correct.

17 Q. And if we could have Government's Exhibit 48.  
18 What is this?

19 A. This is a picture of the defendant's nickname  
20 Akunya that we have seen on his WhatsApp account, as  
21 well as the Twitter account.

22 Q. Where did you find this?

23 A. This was extracted off of the defendant's  
24 iPhone.

25 Q. So it was the iPhone he had at the airport?



1 A. The iPhone he had with him at the airport had  
2 this image on it, yes.

3 Q. If we could do a split screen with Exhibit 305.  
4 So is that the same image as the WhatsApp?

5 A. Yes, it is.

6 Q. Did you find any social media applications on  
7 that iPhone or any extraction of the iPhone?

8 A. No. Actually, when we extracted both the  
9 iPhone phone and the HTC phone, all the social media  
10 applications with the exception of WhatsApp were  
11 wiped off both phones.

12 Q. But he kept his Angousha, the Chechen moniker  
13 -- or picture.

14 A. He did. For the WhatsApp account, yes.

15 MS. MARTIN: Your Honor, may I have on  
16 moment?

17 THE COURT: You may.

18 MS. MARTIN: Your Honor, I will pass the  
19 witness.

20 THE COURT: All right. Give him a chance  
21 to get this money back in here.

22 Do you want to come and get this?

23 MS. MARTIN: Yes, Your Honor.

24 THE COURT: All right. We just have a  
25 picture of this for the record.

1 Mr. Whalen, go ahead.

2 MR. WHALEN: Thank you, Your Honor.

3 **CROSS-EXAMINATION**

4 **BY MR. WHALEN:**

5 Q. Okay. Agent Golomb, good afternoon. How are  
6 you?

7 A. Good. Thank you, sir.

8 Q. Okay. So, I know we've asked this, and so I  
9 want to ask it again. So you started the  
10 investigation in April of 2016, correct?

11 A. April of when?

12 Q. 2016.

13 A. That is correct.

14 Q. Okay. And so from the time you come into  
15 contact with Mr. Rahim for the first time, that's  
16 March 5th of 2017, correct?

17 A. That is correct, yes.

18 Q. So prior to that time, the investigation had  
19 lasted almost a year, correct?

20 A. Yes.

21 Q. Okay.

22 A. Correct.

23 Q. And so as part of your investigation, you had  
24 testified earlier that you had gotten some subpoenas  
25 for different IP addresses and things of that

1 nature, correct?

2 A. Correct.

3 Q. And you testified earlier that at some point  
4 through the -- another field office, they relayed  
5 information to Italian authorities, correct?

6 A. They initiated the investigation. I believe  
7 they sent some IPs, yes, to Italy.

8 Q. What field office was that?

9 A. That was FBI -- I'm blanking right now. It was  
10 in South Carolina.

11 Q. Columbia?

12 A. Yes, Columbia.

13 Q. And so in April of 2016, you learn about Zello,  
14 correct?

15 A. Correct.

16 Q. Okay. And you testified that you then started  
17 familiarizing yourself with Zello, correct?

18 A. Correct.

19 Q. And is that the time that you first pulled down  
20 these recordings that were on the website?

21 A. Me, personally?

22 Q. Yes.

23 A. No.

24 Q. Who actually pulled those recordings off the  
25 website?

1 A. We were provided some of the recordings off the  
2 website from FBI-Columbia.

3 Q. Okay. And did -- so after you got those, they  
4 started being translated immediately, correct?

5 A. Yes, correct.

6 Q. And all the transcripts that we've read or been  
7 admitted into evidence are all -- those are all the  
8 recordings you got off of the website?

9 A. No.

10 Q. Okay.

11 A. No, there are more.

12 Q. There are more.

13 So what was the total amount of recordings you  
14 got off -- that you were able to pull down off the  
15 website?

16 A. That we pulled down or that we were provided by  
17 Zello in the search warrant?

18 Q. Well, let's start with you. You get the tip  
19 from Columbia.

20 A. Okay.

21 Q. They tell you about Zello, and you go to the  
22 website, correct?

23 A. Correct.

24 Q. And are you able to pull recordings off of  
25 Zello at that point?

1 A. Yes, you are.

2 Q. Okay. And so how many recordings did you pull  
3 down at that point, if you recall?

4 A. FBI-Columbia had pulled down quite a few; not  
5 just of the defendant, but other main users in the  
6 room as well.

7 Q. And when you say "quite a few," can you put a  
8 number on it?

9 A. I don't have access to all of FBI-Columbia's  
10 records. But what they passed to us in early April,  
11 it could have been anywhere from 8 to 15 to start,  
12 maybe.

13 Q. And in those 8 to 15, how many minutes or hours  
14 of conversations were there?

15 A. If I have to guess -- I mean, sessions differ.  
16 Some sessions are a minute long, some are 20 minutes  
17 long, maybe an hour, maybe an hour and a half of  
18 conversation.

19 Q. And then the next thing you did is you got the  
20 search warrant for Zello, correct?

21 A. We eventually got a search warrant for Zello,  
22 yes, but we used other investigative techniques  
23 during the course of the investigation.

24 Q. Okay. And not getting into those investigative  
25 techniques, how much -- before you got the search

1 warrant, how much conversations did you get off of  
2 Zello or Zello-related in between the time you  
3 received it from Columbia to the time you get the  
4 search warrant for Zello?

5 A. It was ongoing. We were receiving  
6 conversations throughout the months up to the search  
7 warrant, as well.

8 Q. And how many conversations did you pick up?

9 A. It would be hard to put a number on. It was a  
10 lot of information at that time. But again, 10, 20,  
11 30, 40 hours maybe.

12 Q. And I guess I need to pin down, when did you  
13 get the search warrant for Zello?

14 A. The search warrant was executed, I believe, at  
15 the end of December 2016.

16 Q. Okay. So from April to December, you're  
17 getting different Zello conversations through  
18 various means and methods, correct?

19 A. Correct.

20 Q. And at this time, are you aware that the  
21 Italian authorities are trying to get Zello  
22 information as well?

23 A. Yeah. We were aware in late April that we  
24 started to coordinate with the Italian authorities  
25 with regard to both of our subjects, yes.

1 Q. And did the Italian authorities send you Zello  
2 information as well?

3 A. We started to receive information from them I  
4 believe after a coordination meeting. But between  
5 that time, it was mostly passing records back,  
6 subscriber logs, things of that nature.

7 Q. Okay. Now, you indicated that you learned how  
8 to man- -- not manipulate, but learn how to operate  
9 Zello and get familiar with it, true?

10 A. Yes.

11 Q. Did you create your own user name or your own  
12 account on Zello?

13 A. I did, yes.

14 Q. What was your user name on Zello?

15 A. If I can remember, I think it just might have  
16 been D Go Blue 11.

17 Q. And did you then subscribe to these Caliphate  
18 channels?

19 A. I did not, no.

20 Q. So you created your own account, and you just  
21 figured out how to work it and see what was out  
22 there, right?

23 A. Yeah, to try to understand the limitations of  
24 the application and what could be done with the  
25 application.

1 Q. But at no time did you ever ask to join or make  
2 that -- add that channel to your account.

3 A. Exactly, yes.

4 Q. Okay. Now, we see in some of the transcripts  
5 reference to an al-Zacari. Do you remember those  
6 references?

7 A. Yes.

8 Q. That was a user name, correct?

9 A. I believe so, yes.

10 Q. Were you able to identify that user?

11 A. I don't believe so; no, not fully.

12 Q. Okay. So then after a while you're monitoring  
13 Zello and getting these recordings, in December the  
14 search warrant is executed on Zello, how much data  
15 did you get at that point?

16 A. Well, I think the jury has seen it. It's  
17 thousands and thousands of pages of server logs,  
18 hundreds hours or so of audio, user profiles, user  
19 logs; voluminous.

20 Q. Okay. And so once you executed the search  
21 warrant, how many total hours of audio did you have  
22 accumulated at that point?

23 A. I don't think I have an answer for the total.  
24 For the defendant, it was total hours probably 10,  
25 12 to 14, something along those lines.



1 Q. And up until this -- once you got the search  
2 warrant to Zello, had you already identified  
3 Mr. Rahim as being related to these user names that  
4 we've talked about?

5 A. Yes.

6 Q. Okay. When did you make the connection between  
7 Mr. Rahim and those user names? What was the date  
8 or approximate time of that?

9 A. Well, I believe the connection to the Italian  
10 subject was made very early. The conversations that  
11 the two were having about bomb making and knife  
12 threats in Europe, that was what brought both of  
13 them to our immediate attention, in which we started  
14 the investigation with the Italian. So very early  
15 on we understood the defendant to have a prominent  
16 role in the channel.

17 Q. Okay. And you identified by -- first you had  
18 the user names, correct? You started with the --

19 A. Some of them, yes.

20 Q. Then you started with the IP addresses,  
21 correct?

22 A. Correct.

23 Q. And then based on the IP addresses, you went to  
24 the locations, they came back to you, correct?

25 A. Correct.

1 Q. And then based on surveillance, you were able  
2 to identify him as the person speaking on the chats,  
3 correct?

4 A. Yes, pretty much.

5 Q. Okay. And you were able to do that very  
6 quickly, correct?

7 A. We were, yes.

8 Q. Okay. Was that in April of 2016 or in May of  
9 2016?

10 A. I would say we had him fully identified by  
11 mid-April, late April, yes.

12 Q. Okay. And from that point on, once you  
13 identified him, is that when you started doing more  
14 surveillance of him?

15 A. Yes.

16 Q. Okay. When did you put up the pole camera at  
17 the Colorado location?

18 A. It was early on. I mean, the Colorado location  
19 is in a less desirable part of town, so it was  
20 difficult for surveillance units to get too close.  
21 So I think the pole camera went up pretty quickly.

22 Q. So when we talk about that area of town, high  
23 crime area?

24 A. Yes.

25 Q. So that went up in April. When did you put the

1 pole camera up at the Richardson address?

2 A. Probably around the same time.

3 Q. Okay. And when did you take down the pole  
4 camera at Colorado?

5 A. Both pole cameras were taken down immediately  
6 after effecting the arrest and learning that he  
7 would not be released.

8 Q. Okay. So those came down. And so basically  
9 you had almost a year of video footage of both  
10 Colorado and the Barrington address in Richardson,  
11 correct?

12 A. That's correct, yes.

13 Q. Okay. And you were able to learn that at his  
14 store he sold a lot of different things, correct?

15 A. Yes.

16 Q. Clothing? Did he sell clothing?

17 A. Yes, he sold clothing.

18 Q. Did he sell used cell phones?

19 A. I believe so, yes.

20 Q. Okay.

21 A. I believe we found some there when we searched  
22 the business.

23 Q. Okay. Now, let's talk about IP addresses. You  
24 talked about static IPs and dynamic IPs, correct?

25 A. Correct.

1 Q. I don't know if you mentioned dynamic IPs, but  
2 do you know what a dynamic IP is?

3 A. Yes.

4 Q. What is that?

5 A. Dynamic IP is something that a user on a cell  
6 phone would get like on a temporary basis, a  
7 temporary lease. So you were allowed to use that IP  
8 address while you were active. You may lease it for  
9 an hour, it could be for two days, depends on the  
10 carrier, they vary. And once the time -- that lease  
11 is up, it would assign that IP address to another  
12 individual if you didn't go back in that amount of  
13 time and reclaim it. They change.

14 Q. And also, when you buy internet for either --  
15 you know, subscribe to internet at a business or at  
16 a home, it costs extra to get a static IP. Are you  
17 aware of that?

18 A. I'm not sure on each provider how that process  
19 works, no.

20 Q. Especially -- okay. I guess I can't testify,  
21 so. . .

22 But if you sign up for the internet, sometimes  
23 static IPs are something that you have to  
24 specifically request versus a dynamic IP. Are you  
25 aware of that?

1 A. I'm not sure if I'm aware of that. But I will  
2 tell you when receiving the records from Time Warner  
3 Cable, on that account it looked like it was a  
4 static IP that went to that account only, so yes.

5 Q. You talked about in -- you were talking about  
6 the transcript as related to 218, it's Exhibit 218,  
7 you made a comment that his words in there were  
8 showing that he wanted to be important or sound  
9 important. Do you remember that?

10 A. Yes.

11 Q. Okay. And did you get the sense in listening  
12 to him that that was a motivation of his to sound  
13 like he was important and revered by others?

14 A. I think that's a motivation, as in many people,  
15 yes.

16 Q. And also would you agree with me that he talked  
17 about -- he mentioned about going to the battlefield  
18 and stuff. And would you agree with me that he's --  
19 there's no evidence that he ever went to the  
20 battlefield.

21 A. There's no evidence that he went to the  
22 battlefield, correct.

23 Q. So would you agree with me that when he made  
24 that comment, that's a lie? It wasn't true?

25 A. It wasn't true to that point.

1 Q. Yeah, okay. And he also talked about --  
2 there's talk about mobilization. You don't have any  
3 evidence that anybody he referred to as having been  
4 mobilized actually, in fact, mobilized, correct?

5 A. Not yet, no.

6 Q. Okay.

7 A. Again, our investigation could only take us so  
8 far. I can't go into Syria at this time.

9 MR. WHALEN: Objection, nonresponsive.

10 THE COURT: Sustained.

11 Q. (By Mr. Whalen) And during the year that you  
12 monitored -- you watched Mr. Rahim from April to his  
13 arrest in March, correct?

14 A. Yes.

15 Q. Okay. And so you were aware that he traveled  
16 out of state and to different locations, correct?

17 A. Correct.

18 Q. Okay. And did you at some point travel to  
19 Italy?

20 A. I did, yes.

21 Q. Okay. When did you travel to Italy?

22 A. We traveled there in November of 2016 and then  
23 July of 2017.

24 Q. Okay. And then, when you went there in July of  
25 2017, did you interview any witnesses in 2017?

1 A. We did. We had the opportunity to interview or  
2 partake in an Italian interview of Ibn Dawla.

3 Q. Okay. And you had the ability to maybe not ask  
4 questions, but submit questions to be asked?

5 A. We submitted some suggested questions, correct.

6 THE COURT: Was it interpreted for you?

7 THE WITNESS: Yes, it was.

8 Q. (By Mr. Whalen) And there's also talk about --  
9 in some of the transcripts about mention -- I think  
10 somebody is talking about Telegram and the use of  
11 Telegram. Do you remember that?

12 A. Yes.

13 Q. Okay. And you'd agree with me that at no  
14 time -- or there is no evidence to suggest that  
15 Mr. Rahim ever used Telegram, correct?

16 A. I would say the transcript suggested he did use  
17 Telegram, yes.

18 Q. But you have no evidence to show that he did.

19 A. The transcripts tell me he did. We have had a  
20 FBI-Columbia report that he was using Telegram as  
21 well.

22 Q. But you have no physical evidence to show that  
23 he --

24 A. None that's in the exhibits today, no.

25 Q. No.

1 MR. WHALEN: Give me a second.

2 Q. (By Mr. Whalen) Now, as it relates to  
3 Exhibit 50, which is his itinerary from Luftansa,  
4 you testified that you were aware that he made  
5 flight reservations, correct?

6 A. Correct.

7 Q. Who made you aware of that?

8 A. We had, I believe, some information again from  
9 FBI-Columbia that he may have booked a flight.

10 Q. Okay.

11 A. In addition, we weren't receiving any more IP  
12 logs on his monikers. And we had believed that  
13 there might be a reason for him to be traveling.

14 Q. Okay. Now, at the time you knew he was going  
15 to fly on the 5th, right?

16 A. Correct.

17 Q. Okay. And you made arrangements to approach  
18 him at the airport to see if he would talk to you,  
19 correct?

20 A. Correct.

21 Q. And you -- as you testified to, you got the  
22 room set up for that to happen, correct?

23 A. Correct.

24 Q. Okay. And at what point did you know that the  
25 decision was made that he was not going to get on



1 the airplane?

2 A. I knew well before the interview.

3 Q. Okay. So fair to say that when Mr. Rahim  
4 showed up at the airport, at no time did he know he  
5 wasn't going to get on the airplane?

6 A. That's correct.

7 Q. Okay. And once you came into contact with him  
8 on March 5th, you had already read -- these  
9 transcripts had been translated, correct?

10 A. Correct. Not into verbatim, per se, but we had  
11 summaries and in some cases we had verbatims.

12 Q. Because that helped formulate your questions  
13 correct?

14 A. Correct.

15 Q. And you already knew it was Mr. Rahim who made  
16 those statements, correct?

17 A. Correct.

18 Q. There was no doubt in your mind, correct?

19 A. No doubt.

20 Q. Okay. And so at the time you show up at the  
21 airport, fair to say that all the questions you  
22 asked him you knew the answers to, correct?

23 A. I knew the answers to several of them, yes.

24 Q. Okay. So as it relates to the counts he's  
25 charged with, you knew the answers to those

1 questions, correct?

2 A. I knew partial answers to those questions,  
3 correct.

4 Q. Okay. Now, when he gets through security,  
5 you -- I think Agent Glick says to him, "Hey, let's  
6 try to get this thing sorted out," correct?

7 A. Correct.

8 Q. And we all know that wasn't true, correct?

9 A. Correct.

10 Q. And would you agree with me during the course  
11 of the interview, you did lead him to believe that  
12 he was still going to be able to try to get on that  
13 airplane, correct?

14 A. Absolutely. That's a lawful technique that we  
15 use as investigators.

16 MR. WHALEN: Objection, nonresponsive,  
17 Your Honor.

18 THE COURT: Sustained.

19 Q. (By Mr. Whalen) But you led him to believe  
20 that he would get on the airplane, correct?

21 A. Yes.

22 Q. And also during the course of the interview,  
23 you made a statement to him. You thanked him for  
24 telling the truth. Do you remember that?

25 A. I do, yes.

1 Q. And when you told him -- you thanked him for  
2 telling the truth, that was a lie, correct?

3 A. It was a lie after he -- I asked him again if  
4 he told the truth and he said yes, and I said,  
5 "Thank you for telling the truth."

6 Q. Okay. And so you indicated that you felt you  
7 had -- well, let me back up here.

8 So let's go through the transcript, just a  
9 little bit, of that interview.

10 You asked him what his cell phone number was,  
11 correct?

12 A. I believe so. I don't have a copy of it in  
13 front of me.

14 Q. You haven't memorized it?

15 A. No.

16 MR. WHALEN: May I approach, Your Honor?

17 THE COURT: Yes.

18 Q. (By Mr. Whalen) If we go to page 2 --

19 A. Okay.

20 Q. -- line 21. Agent Glick asked him: "What's  
21 your cell number?"

22 A. Yes.

23 Q. And he gives you an answer on page 22, which is  
24 "(214) 414-4244"?

25 A. Correct.

1 Q. That was a true statement, correct?

2 A. That was true, yes.

3 Q. And when he told you who his employer was, of  
4 Angousha Trading, that was a true statement,  
5 correct?

6 A. Correct.

7 Q. When he told you that he was born in New  
8 Jersey, was that a true statement?

9 A. Yes.

10 Q. That he was not a citizen of another country,  
11 correct?

12 A. Correct.

13 Q. When he said he was traveling alone, that was a  
14 true statement, correct?

15 A. Correct.

16 Q. When he said he was going to Frankfurt,  
17 Germany, that was a true statement, correct?

18 A. On his way to Amman, yes.

19 Q. And he told you he was going to see his  
20 daughter. That was a true statement, correct?

21 A. That's what he told us, yes.

22 Q. And you have no reason to doubt he doesn't have  
23 a daughter in Jordan, do you?

24 A. No, I do believe he has a daughter in Jordan.

25 Q. Okay. And he also told you that the last time

1 he had traveled to Jordan was in 2010; is that  
2 correct?

3 A. Yes, that's correct.

4 Q. And that was a true statement, correct?

5 A. Yes.

6 Q. And when he told you Oak Cliff is not a very  
7 safe place, that was a true statement, correct?

8 A. He told us that. I don't want to comment on  
9 Oak Cliff. I don't want to comment on how dangerous  
10 Oak Cliff is, but he told us that, yes.

11 Q. But at least where his shop is, it's not the  
12 nicest part of town, correct?

13 A. That's true, yes.

14 Q. And he didn't know anybody else on the flight,  
15 correct?

16 A. I don't believe so, no.

17 Q. Okay.

18 A. I don't believe he knew anybody else on the  
19 flight. I mean, yes, you're correct.

20 Q. Correct. Now, prior to you coming into contact  
21 with him, you also had secured a search warrant for  
22 his luggage and his phones, correct?

23 A. Correct.

24 Q. And at some point you did ask him to consent to  
25 a search, correct?

1 A. I did, yes.

2 Q. Okay. And he agreed to it, correct?

3 A. He did.

4 Q. And would you agree with me that he did that  
5 sort of in the context of, well, yeah, because I  
6 want to try to catch the flight if it would hurry  
7 things along. Did you get that sense of it?

8 A. I'm not sure why he consented to it, but he  
9 consented to the search, yes.

10 Q. And he was still hoping to make that flight,  
11 correct?

12 A. Yes, I believe so.

13 Q. So he testified that once he -- the interview  
14 finished, you felt you had probable cause to arrest  
15 him, correct?

16 A. Correct. Yes, we had probable cause to believe  
17 he had broken the law at that point.

18 Q. Okay. And prior to the interview, he was not  
19 under arrest, correct?

20 A. Correct.

21 Q. Okay. And you did not have a warrant for his  
22 arrest at that time, correct?

23 A. Correct.

24 Q. And you did not have authority to arrest him at  
25 that time, correct?

1 A. Before the interview started, no, we did not.

2 Q. Correct. And had he politely declined your  
3 offer to talk to -- or answer those questions, you  
4 still would not have had probable cause to arrest  
5 him at that time, correct?

6 A. Correct.

7 Q. Or authority to arrest him at that time,  
8 correct?

9 A. Correct.

10 MR. WHALEN: I'll pass the witness.

11 THE COURT: Redirect?

12 MS. MARTIN: No more questions, Your  
13 Honor.

14 THE COURT: You may step down, Agent.  
15 Call your next witness.

16 MS. MARTIN: Your Honor, the government  
17 calls Special Agent Paul Amacker.

18 THE COURT: Come on up here.

19 (Witness sworn.)

20 THE WITNESS: I do.

21 COURT SECURITY OFFICER: Have a seat, and  
22 state and spell your first and last name.

23 THE WITNESS: My name is Paul Amacker,  
24 P-A-U-L, A-M-A-C-K-E-R.

25

1                                   **PAUL AMACKER,**  
2   **having been first duly sworn, testified as follows:**

3                                   **DIRECT EXAMINATION**

4   **BY MS. MARTIN:**

5   Q.   Special Agent Amacker, where do you work?

6   A.   Federal Bureau of Investigation, Dallas.

7   Q.   How long have you been an FBI agent?

8   A.   Going on nine years.

9   Q.   What is your current assignment at the FBI?

10   A.   My current assignment is with Special  
11   Operations Group as a full-time pilot.

12   Q.   What is the Special Operations Group?

13   A.   Special OP is in surveillance of high-value  
14   targets or targets that may be a little bit more  
15   surveillance-conscious at times.

16   Q.   Have you always been on surveillance, or have  
17   you done other assignments within the FBI?

18   A.   For a little over five years, I was on a  
19   Southwest Border Task Force that worked  
20   transnational organized crime.

21   Q.   And then how long have you been with the  
22   Special Operations Group?

23   A.   I transferred to that unit October of -- I  
24   believe October of 2016 or '17; a couple of years.

25   Q.   And how long have you been a full-time pilot?



1 A. About a year full-time pilot. And I was a  
2 pilot part time before that for approximately, oh,  
3 probably 14 or 16 months. And I split my time  
4 working on ground surveillance teams and in the  
5 airplane.

6 Q. So in March of 2017, were you splitting time  
7 between ground surveillance and in the airplane?

8 A. That's correct.

9 Q. And were you assigned at any point during that  
10 time period, early 2017, to surveil the defendant,  
11 Sahid Rahim?

12 A. I was.

13 Q. And do you see him in the courtroom today?

14 A. Yes, I see him.

15 Q. Can you point to him -- is he standing?

16 A. He is, that's correct, the gentleman standing.

17 MS. MARTIN: Your Honor, may the record  
18 reflect the witness has identified the defendant?

19 THE COURT: It will so reflect.

20 Q. (By Ms. Martin) And was your surveillance of  
21 him airplane, or was it ground surveillance?

22 A. I was assigned to the airplane that day, but we  
23 didn't fly due to -- I suspect probably the weather  
24 was not favorable for flying, so I was on the ground  
25 team on the day of March 4th and March 5th, 2017.

1 Q. And so prior to that time, did you also have  
2 shifts or surveillance over the defendant, Said  
3 Rahim?

4 A. Yes. I worked shifts both on the ground team  
5 and as a pilot on the airplane prior to those dates  
6 on the case involving Mr. Rahim.

7 Q. So let's talk about those dates. You said  
8 March 4th, the day before the travel was supposed to  
9 happen, you were surveilling him?

10 A. Correct. I was assigned to a ground team that  
11 day.

12 Q. Were you are able to surveil him that day?

13 A. We were.

14 Q. What did he do that day?

15 A. I have my notes with me, but to the best of my  
16 recollection, he was kind of at home and around his  
17 house that day.

18 Q. So did the surveillance really pick up on March  
19 5th, 2017?

20 A. Yes. From what I recall, we had information  
21 that he was planning on traveling overseas. So we  
22 had a larger team out that day to be able to track  
23 him from his house to where he would go, and we  
24 anticipated he would go to DFW Airport.

25 Q. So were you stationed at his house?

1 A. Yes.

2 Q. What did you observe while you were at his  
3 house?

4 A. I believe we had some cameras up in the  
5 vicinity, some covert cameras in the vicinity of  
6 Mr. Rahim's house. So everybody out there was able  
7 to observe realtime what was going on with the  
8 cameras and also puts eyes on him as well.

9 Obviously, you can't have that many people  
10 right up on his house without being detected. So as  
11 he passed, you know, different ones were observing  
12 at different times. And I recall observing him and  
13 other individuals coming and going from his house,  
14 moving luggage from vehicle to another and so forth,  
15 prior to departing the airport.

16 Q. Did you recognize the defendant, Said Rahim, on  
17 that day?

18 A. Yes.

19 Q. Was there anything different about his  
20 appearance?

21 A. He had shaved his beard off that day; was much  
22 more clean-shaven as opposed previous surveillances  
23 where he had a thick and patchier beard.

24 Q. Ultimately, did he leave the house?

25 A. He did.

1 Q. Did you follow him?

2 A. We did; as a team, we followed him.

3 Q. Where did he go?

4 A. To Dallas/Fort Worth International Airport,  
5 Terminal D.

6 Q. When you say you as a team followed him,  
7 approximately how many people followed him?

8 A. I believe there were eight people on the  
9 surveillance log that day, eight agents.

10 Q. Are you aware of any additional surveillance  
11 that day?

12 A. I checked the records to see if there was an  
13 airplane up that day this morning. Unfortunately,  
14 our system was down. Our chief pilot did search our  
15 physical records and did not see a flight up on  
16 Sunday the 5th with our particular aircraft.  
17 However, there were visiting teams in to assist with  
18 the workload from another division, and they did  
19 have an aircraft here, so I couldn't ascertain as to  
20 whether that aircraft actually flew on Sunday the  
21 5th or not, but we had eight ground bodies out.

22 Q. Were you aware whether or not the SWAT had  
23 surveillance stationed at the airport as well?

24 A. I believe they did. That sounds correct.

25 Q. When he -- Mr. Rahim, did he travel alone to

1 the airport?

2 A. No. He left with two other individuals, I  
3 believe, in a black Mercedes that were later  
4 identified to be his brothers, I believe, that  
5 traveled with him to the airport.

6 Q. What happened when you got to the airport?

7 A. Mister -- and I apologize. I knew him as  
8 Mr. Rahim. And if that's incorrect, I apologize for  
9 not getting his name correct.

10 He exited -- they pulled up curbside,  
11 basically, and Mr. Rahim exited the vehicle. And I  
12 believe, initially, one of the other individuals who  
13 was later identified to be a brother of his exited  
14 the vehicle. And while they were there, at various  
15 times, these two individuals, who were his brothers,  
16 came in and out of the airport. Because we were in  
17 there for a lengthy period of time at the ticket  
18 counter.

19 Q. So you actually got out of your surveillance  
20 car and went into the airport?

21 A. Yes. A retired agent, Sonya Stephens and  
22 myself, went in and posed as a couple in a covert  
23 capacity to maintain a continuous surveillance on  
24 Mr. Rahim as he entered the airport to see what his  
25 actions were going to be inside.

1 Q. What was he doing inside the airport?

2 A. He was at the Luftansa ticket counter in  
3 Terminal D. And there was a problem with his ticket  
4 or his boarding. And I don't know if it was with  
5 the Luftansa or German government. But there was  
6 some kind of a holdup that held him at the ticket  
7 counter for a very extended period of time.

8 Q. Did that cause problem for you as surveillance?

9 A. It did, because it's not normal for people to  
10 stand around forever at the ticket counter. So we  
11 went to a self-serve kiosk and enlisted one of the  
12 airline representatives to help us at that kiosk and  
13 move to different kiosks as if one was broken, but  
14 kind of buy us some time; and also to be able to  
15 take some pictures and everything of Mr. Rahim at  
16 the ticket counter for Luftansa.

17 Q. And what did you observe while he was at the  
18 ticket counter? Was he alone at the Luftansa ticket  
19 counter?

20 A. He was not -- he may have been at specific  
21 times, but there was traffic of him and his  
22 brothers. He was there, and his brothers would come  
23 and go. And I think one of them may have moved the  
24 car at one point, but I'm not 100 percent sure about  
25 that.

1 But while they were there, we did notice they  
2 were very observant of what was going on in the  
3 airport as opposed to what was going to on at the  
4 ticket counter. And I can explain further if you  
5 need me to.

6 Q. Yeah, please explain.

7 A. Okay. So when he was there at the ticket  
8 counter -- I'm guessing it was probably an hour  
9 roughly. It could have been a little bit more, it  
10 could have been a little bit less, but ballpark an  
11 hour. And these guys were there with him. And I  
12 would equate it like being on a security or a  
13 protective detail, where, if I were providing  
14 security for you, for example, to give a speech, I  
15 would be very aware of what was going on around you,  
16 what all was going on, not necessarily paying a  
17 hundred percent attention to your speech because I'm  
18 looking around.

19 That was kind of the behavior exhibited by the  
20 brothers at that time. They were constantly turning  
21 around, looking around the airport, looking to see  
22 who was in there. I would say looking -- you know,  
23 just their heads were on swivels, as we say. They  
24 were looking all over the place and not focused a  
25 whole lot on what was going on with Mr. Rahim and

1 the ticket agent.

2 Q. And you found that to be unusual?

3 A. I did find that to be unusual. Most people,  
4 when they go in the airport, are trying to get their  
5 ticket or process what they are doing at the  
6 counter. They're not really concerned about what's  
7 going on behind them.

8 Q. And ultimately did Mr. Rahim get something that  
9 allowed him to go through the TSA checkpoint?

10 A. He did. Something was worked out, and he got  
11 some type of access to get through the TSA ticket  
12 counter -- excuse me, the TSA screening area, which  
13 would be a restricted area that only ticketed  
14 passengers are normally able to go through, and he  
15 did go through that by himself.

16 Q. And did you lose visual on him when he went  
17 through the TSA checkpoint?

18 A. We did. We saw him go through, and some  
19 individuals in suits met him. I don't know if they  
20 worked for the Bureau or a combined task force or  
21 whatever. But while we were in there, we maintained  
22 communications with the team leader who was kind of  
23 coordinating the surveillance team and the other  
24 elements that were out there, and they were telling  
25 us what was going on. We didn't know what the



1 holdup was with the Luftansa counter. So they told  
2 us there was whatever kind of holdup. And they kind  
3 of kept us in the loop of what was going on. And in  
4 return, we let them know what was happening inside  
5 the terminal. And they said, "Okay, he's going  
6 through, and our guys our going to meet him once he  
7 gets through the TSA checkpoint." So I assume that  
8 those guys met him and took him off to the side  
9 room.

10 Q. Did you stay at the airport after that?

11 A. We did. We sat down there in Terminal D for a  
12 while to wait for further instructions and see what  
13 happened. Eventually, Mr. Rahim came back out  
14 through the TSA checkpoint. We observed him coming  
15 through. And kind of when you exit the terminal,  
16 you know, you have two sets of sliding doors. And  
17 he made it through the first set of sliding doors,  
18 and at that point he was contacted by law  
19 enforcement and he was handcuffed and taken into  
20 custody; not by us, we strictly observed.

21 Q. And that ended your surveillance assignment?

22 A. It did. We didn't want to burn our covert  
23 capacity and be associated with his arrest,  
24 especially since we had been in there so long. So  
25 we departed a different door and kind of got out of

1 there at that point.

2 Q. If Said Rahim had not been arrested, would you  
3 have continued to surveil him when he left the  
4 airport?

5 A. We would have received orders from the  
6 commander as we had been. But it would have been  
7 standard practice to continue surveillance on him  
8 until he left the airport.

9 MS. MARTIN: Your Honor, may I have a  
10 moment?

11 THE COURT: You may.

12 MS. MARTIN: Pass the witness, Your Honor.

13 MR. WHALEN: One second.

14 **CROSS-EXAMINATION**

15 **BY MR. WHALEN:**

16 Q. Agent, with regard to the brothers, you were  
17 aware they weren't flying, correct?

18 A. That's correct. Now, I wasn't at the time --  
19 because we didn't know who he was going to go to the  
20 airport with. Once we got there and things kind of  
21 got established, we knew that they were just  
22 accompanying him up to the point that he was going  
23 to leave, you know, fly wherever he was going.

24 Q. So whatever was going on at the ticket counter,  
25 would it be normal for them not to really care about

1 what's happening, other than just making sure he  
2 gets his boarding pass and get on his way? Would  
3 that be reasonable?

4 A. It could be. From my own personal experience,  
5 traveling on airplanes -- you know, when I have  
6 accompanied somebody to the airport, I don't go in  
7 with them. But I've never observed -- it's just  
8 unusual to observe people that aren't traveling  
9 stand at the ticket counter and really be looking  
10 over to figure out what else is happening at the  
11 airport. It struck me as odd as being someone who  
12 flies a lot myself.

13 Q. Because you fly a lot and have experience,  
14 that's your normal practice.

15 A. Yes, sir.

16 Q. So it could be somebody else's normal practice  
17 to say, "Hey, I will hang out with you until you get  
18 settled to make sure you get on your way before I  
19 leave," correct?

20 A. Yes, that's plausible.

21 Q. After he went through the TSA checkpoint, did  
22 they leave?

23 A. As far as I know -- from my recollection, they  
24 did depart at that point.

25 Q. So they didn't stick around or do anything like

1 that, they left after he was on his way through the  
2 security checkpoint.

3 A. I believe so. Give me just one moment to  
4 review my notes. I believe that they did.

5 (Pause.)

6 A. Yes, sir. I don't see anything that indicates  
7 otherwise. I believe that you are correct they did  
8 leave. Once they -- in my opinion -- believed he  
9 was going to board the flight and went to the TSA  
10 area, I believe they departed the airport.

11 Q. Okay. And it wasn't a quick process at the  
12 Luftansa ticket counter, correct?

13 A. That's correct, it went on for some time. I  
14 would say at least an hour.

15 Q. Okay. And would it be fair to say that, you  
16 know, due to boredom and things like that, you might  
17 start looking around to pass the time until it  
18 finally gets sorted out? Would that be reasonable?

19 A. It's possible. That's not the way I  
20 interpreted it, but it's certainly possible.

21 Q. And obviously you are an FBI agent, and you are  
22 trained to interpret things a certain way compared  
23 to other people, correct?

24 A. Yes, sir.

25 MR. WHALEN: Pass the witness.

1 THE COURT: Anything else?

2 MS. MARTIN: No questions Your Honor.

3 THE COURT: Agent, step down. Remember  
4 not to talk about the case until it's over.

5 May this witness be excused?

6 MS. MARTIN: Yes, Your Honor.

7 MR. WHALEN: Yes, Your Honor.

8 THE COURT: Ms. Martin, what do you say?

9 MS. MARTIN: Your Honor, Members of the  
10 Jury, the government rests.

11 THE COURT: Okay. Mr. Whalen, I want to  
12 talk to you in just a minute, but I'm going to let  
13 you go for the day. It's just about time anyway.

14 Please remember not to talk about the  
15 case, anything about the case. And please be back  
16 here -- I think I'm going to start up at 9:30  
17 tomorrow because we've got the charge. I want to  
18 look at the jury charge and instructions, and I want  
19 to do some other things with the lawyers. So you  
20 can be here as early as you want, but we won't start  
21 until 9:30. Okay? And that's all. Good night.

22 (Jury exits courtroom.)

23 THE COURT: Mr. Whalen.

24 MR. WHALEN: Your Honor, may I approach?

25 THE COURT: Yes.

1 MR. WHALEN: Your Honor, at this time, I  
2 would urge a motion under Rule 29 as it relates to  
3 Count 1. We would argue that the government has  
4 failed to prove each and every element of Count 1,  
5 that there was an existence of conspiracy or an  
6 agreement of any kind. And then they failed to  
7 prove that Mr. Rahim agreed or conspired with anyone  
8 and acted in a way in furtherance of the conspiracy.  
9 And so we would move for a Rule 29 for each and  
10 every element under Count 1.

11 As to Count 2, we believe they have failed  
12 to prove each and every element of Count 2 of the  
13 attempted to provide material support to a terrorist  
14 organization. There's no evidence to support that  
15 he individually or that anybody associated with that  
16 chat room provided personnel to a terrorist  
17 organization. And so we would move for Rule 29 on  
18 each and every element as related to Count 2 as to  
19 both personnel and services.

20 As to Counts 3, 4, 5, 6, 7 and 8, we would  
21 ask for Rule 29 on those matters. We believe they  
22 can't prove each and every element, that the matters  
23 were not material. The evidence suggests that they  
24 knew -- each and every statement that they asked,  
25 they already knew the answer to. And there's no

1 suggestion that it caused them any undue harm or  
2 further work on their part to make a determination  
3 of what -- of the investigation or caused them to do  
4 additional steps in the investigation as a result of  
5 those statements. And so for those reasons, Counts  
6 3, 4, 7 and 8, we move for Rule 29 motion of  
7 acquittal on each and every count, Your Honor.

8 THE COURT: Thank you, Mr. Whalen.  
9 Ms. Martin.

10 MS. MARTIN: Yes, Your Honor.

11 Your Honor, with respect to Count 1, the  
12 government has established sufficient evidence to  
13 establish the existence of a conspiracy with the  
14 defendant and at least one other person. Multiple  
15 people that we don't exactly who they are on the  
16 channel, creator of the channel, and the Italian  
17 subject, Ibn Dawla.

18 And we believe that that agreement is  
19 clear from -- as evidenced that it is for -- to  
20 provide material support to ISIS. We believe that  
21 the defendant's own statement shows that the  
22 knowingly became a member of the conspiracy and  
23 sought to further its unlawful purpose. And that at  
24 least one overt act -- multiple overt acts were  
25 committed over the existence of the conspiracy. And

1 that it existed on or after May 15th, 2014, when  
2 ISIS was designated as an FTO.

3 With respect to the attempt, Count 2, the  
4 attempt, we believe that the evidence has shown that  
5 the defendant intended to provide material support  
6 to ISIS. He said it repeatedly. And that he did  
7 commit more than one act, at least one act, though,  
8 constituting a substantial step with his recruiting  
9 efforts in his attempts to provide material support.

10 With respect to the false statements, the  
11 government believes it's met every element. And  
12 Mr. Whalen's argument that the government knew the  
13 answers to the questions is not part of the law.  
14 The law says that it just has to tend to influence,  
15 even if the federal agents know the answer.

16 THE COURT: Even if they knew that they  
17 were false, they're still material because it  
18 doesn't matter if they know they are false or not.  
19 I understand that.

20 MS. MARTIN: Yes, Your Honor. Thank you.

21 THE COURT: All right. I deny the motion.  
22 You can bring it up again and again. I'm going to  
23 deny it for now. And let's go on to the defense  
24 case.

25 Mr. Whalen you will have two witnesses



1 here tomorrow, right?

2 MR. WHALEN: One or two, Your Honor.

3 THE COURT: Okay. One or two.

4 Have you-all looked at the charge at all?

5 MR. WHALEN: Not really, Your Honor.

6 THE COURT: I know. I know. I didn't  
7 expect you to. That's why I would like you here by  
8 8:30 tomorrow morning, and we will go through it.  
9 And we will try to get it done so we will have it  
10 done so we can right into it after that.

11 I don't know when we will argue. We're  
12 going to argue tomorrow, but I don't know if it will  
13 be the morning or afternoon. Let's just hope we can  
14 get the charge done. So take a good look at it  
15 tonight.

16 If there's nothing else, we will be in  
17 recess.

18 (Court in recess at 4:53 p.m.)  
19  
20  
21  
22  
23  
24  
25

1 C E R T I F I C A T E

2 I, Shawnie Archuleta, CCR/CRR, certify  
3 that the foregoing is a transcript from the record  
4 of the proceedings in the foregoing entitled matter.

5 I further certify that the transcript fees  
6 format comply with those prescribed by the Court and  
7 the Judicial Conference of the United States.

8 This 21st day of March 2020.

9

10

11 s/Shawnie Archuleta  
12 Shawnie Archuleta CCR No. 7533  
13 Official Court Reporter  
14 The Northern District of Texas  
15 Dallas Division

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